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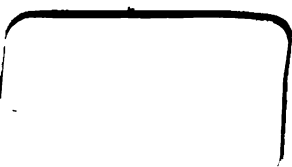
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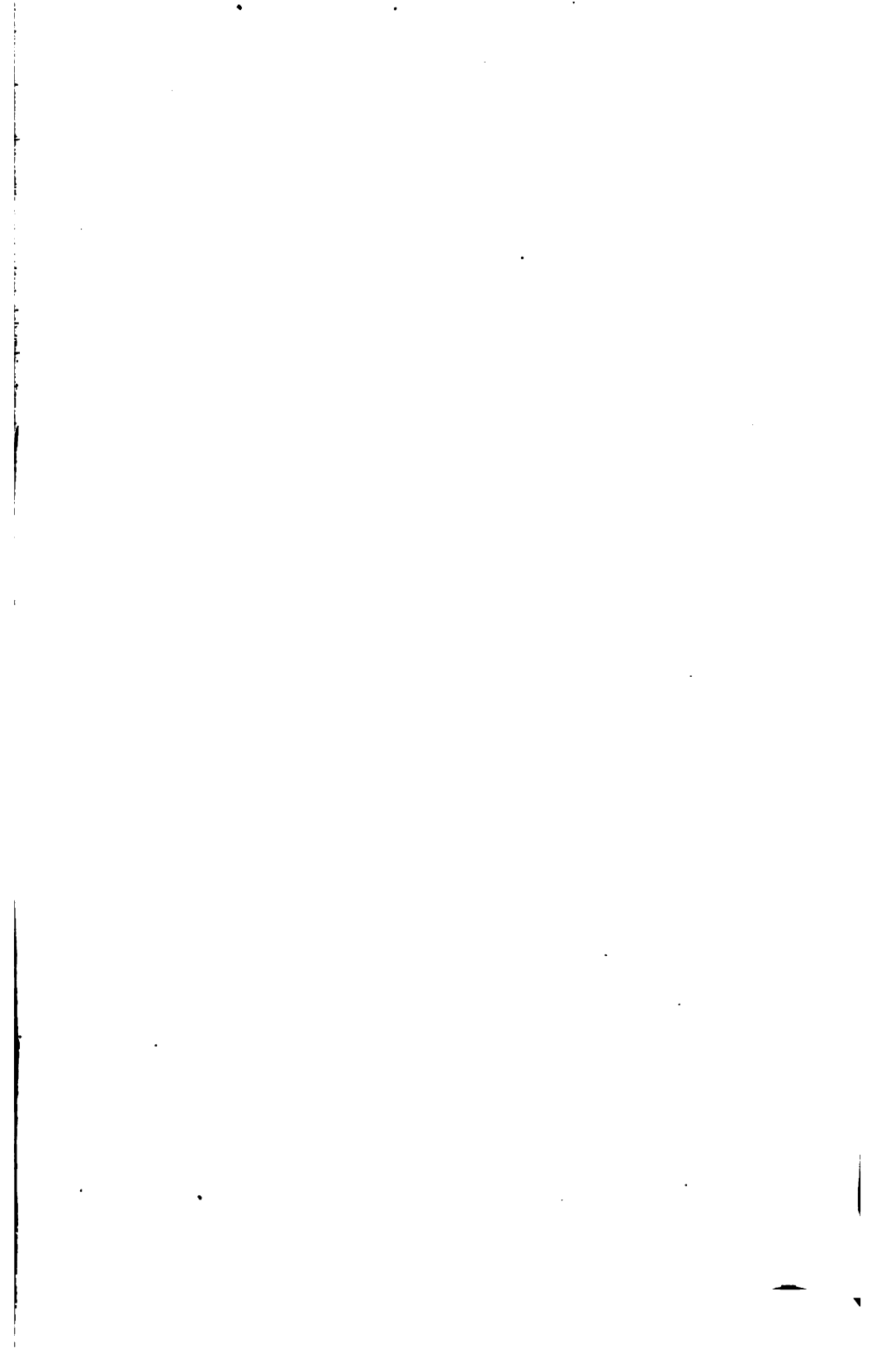
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STATUTES
OF THE
STATE OF NEVADA

PASSED AT THE
TWENTY-EIGHTH SESSION OF THE LEGISLATURE

1917

BEGUN ON MONDAY, THE FIFTEENTH DAY OF JANUARY, AND ENDED
ON THURSDAY, THE FIFTEENTH DAY OF MARCH



CARSON CITY, NEVADA
STATE PRINTING OFFICE . . . JOE FARNSWORTH, SUPERINTENDENT
1917

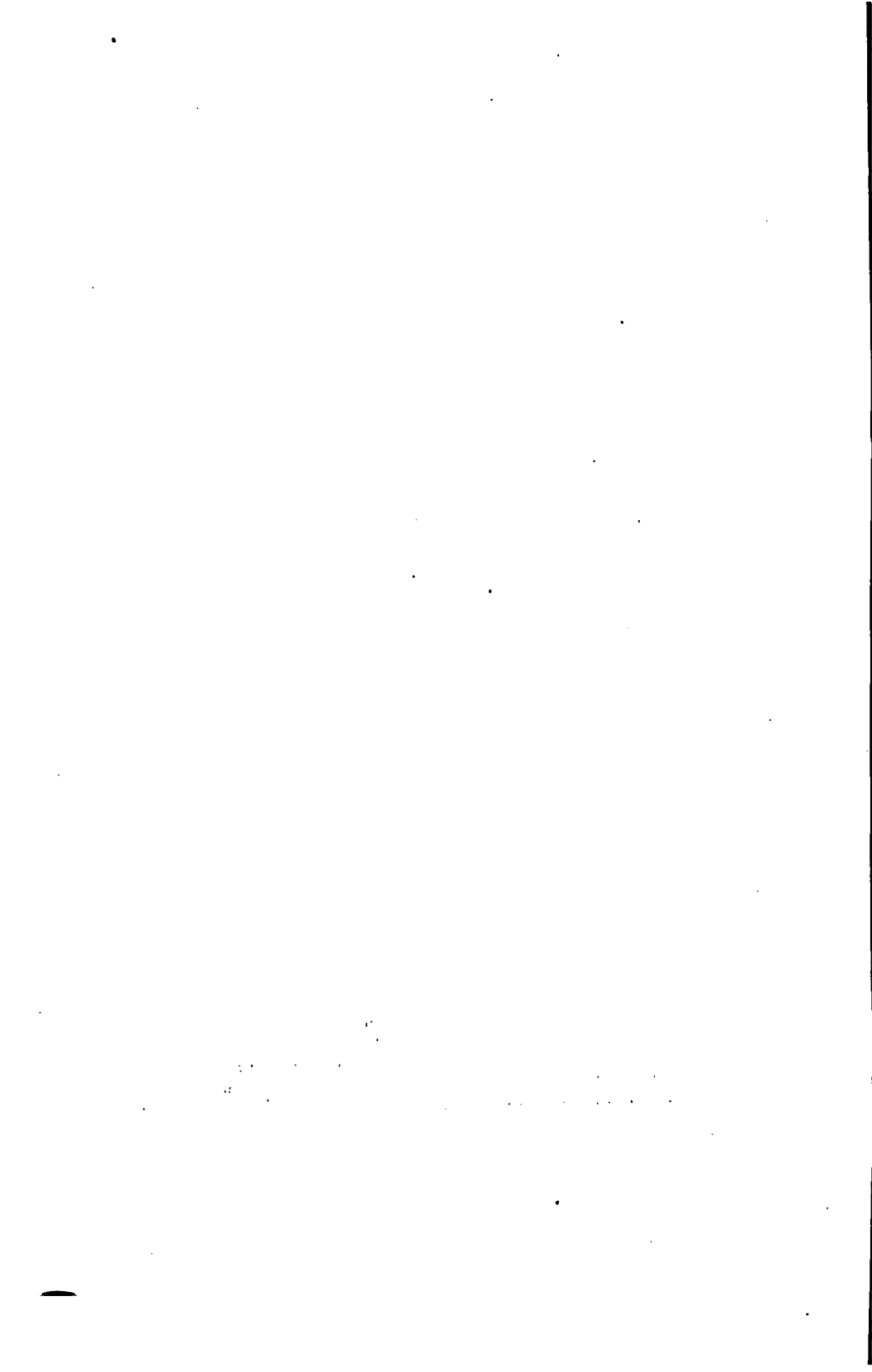


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VIA RAIL GROTENATZ

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LAWS OF THE STATE OF NEVADA

LAWS OF THE STATE OF NEVADA

PASSED AT THE

TWENTY-EIGHTH SESSION OF THE LEGISLATURE

1917

CHAPTER 1—*An Act to create a legislative fund.*

[Approved January 20, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the purpose of paying the mileage and the per diem of members of the present legislature, the salaries of the attachés and the incidental expenses of the respective houses thereof, the state treasurer is hereby authorized and required to set apart, from any money now in the general fund not otherwise especially appropriated, the sum of sixty thousand (\$60,000) dollars, which shall constitute the legislative fund. Legislative appropriation, \$36,000

SEC. 2. The state controller is hereby authorized and required to draw his warrants on said fund in favor of the members and attachés of the senate and assembly, for per diem, mileage, stationery allowance, compensation and incidental expenses of the respective houses, when properly certified to, in accordance with law, and the state treasurer is hereby authorized and required to pay the same. Duties of controller and treasurer

SEC. 3. All moneys remaining in said fund, at the adjournment of the legislature, shall revert to the general fund. Residue to revert

CHAP. 2—*An Act to amend an act entitled "An act to amend an act entitled 'An act to amend section three as amended March 16, 1897, of an act entitled an act to create a board of county commissioners in the several counties of this state, and to define their duties and powers, approved March 8, 1865,' approved March 24, 1909," approved March 5, 1915.*

[Approved January 22, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 1 of the above-entitled act is hereby amended to read as follows:

Section 1. Section 3 of an act entitled "An act to create

Relating to
boards of
county com-
missioners

a board of county commissioners in the several counties of this state and to determine their duties and powers," approved March 8, 1865, and amended March 16, 1897, and further amended March 5, 1915, is hereby amended so as to read as follows:

Date of
meetings

Special
meetings

Temporary
appoint-
ments

Election
canvass

Section 3. The meetings of the board of county commissioners shall be held at the county-seats of their respective counties on the fifth day of each month and every calendar month; *provided*, that when such day falls upon a Sunday or legal holiday, the board shall meet upon the next succeeding judicial day. Special meetings may be held at the county-seat for the transaction of business pertaining to the county, whenever said meeting shall be authorized by the board by resolution duly adopted and entered upon its minutes at a regular meeting; *provided*, that when there shall be in any county, township or precinct office, no officer duly authorized to execute the duties thereof, and it is necessary that a temporary appointment be made to fill such office, as otherwise provided by law, the board of county commissioners shall be authorized and empowered, and it shall become its duty to forthwith hold a special meeting for such purpose. Said meeting may be held by unanimous consent of the said board, or, if for any cause such consent be not obtainable, it shall thereupon become the duty of the chairman or any other member of the board having knowledge of such necessity, to forthwith call such special meeting and to notify the other members thereof, and such meeting shall be held as soon as practicable, but not less than three days, except by unanimous consent, after actual notice to all members of said board, whereupon a majority thereof shall proceed to act upon such appointment as provided by law. The board shall also meet on the tenth day after each general election to canvass election returns.

CHAP. 3—*An Act to authorize the county commissioners of Elko County, Nevada, to authorize and empower and direct the board of county commissioners of Elko County, Nevada, acting as a town board for the town of Elko, in said county of Elko, to issue bonds for the purpose of paying off the outstanding indebtedness of said town of Elko, incurred on account of completing the sewer system in said town and on account of other emergencies.*

[Approved January 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Bonds to pay
indebted-
ness of town
of Elko

SECTION 1. For the purpose of providing funds to pay the outstanding indebtedness of the town of Elko, in Elko County, Nevada, incurred in completing the sewer system

in said town, and on account of other emergencies, the board of county commissioners of said Elko County, Nevada, is hereby authorized, empowered and directed to authorize, empower and direct the board of county commissioners of said Elko County, acting as a town board for the said town of Elko, in Elko County, Nevada, to issue the negotiable coupon bonds of said town of Elko for an amount not to exceed fifty thousand dollars.

County commissioners authorized to issue bonds

SEC. 2. The board of county commissioners of Elko County, Nevada, acting as a town board for the said town of Elko, shall cause said bonds to be prepared and issued. Such bonds shall be signed by the chairman of the board, and the county clerk of Elko County, Nevada, acting as the clerk of said board, and be countersigned by the county treasurer of said Elko County, Nevada. Coupons for interest shall be attached to each bond, so that the same may be removed without injury to the bonds. Each of said coupons shall be consecutively numbered and be signed by the chairman of said board, said clerk and said county treasurer, or by their facsimile signatures lithographed thereon.

County commissioners, acting as town board of Elko, to issue bonds for town of Elko

SEC. 3. The clerk of said board of county commissioners, acting as such town board, shall keep an accurate and full record of all proceedings had under the provisions of this act; and shall also keep a record showing the number, amount, and date of each bond, and to whom issued or sold. The county treasurer of Elko County, Nevada, shall also keep a record of the number, amount and date of each bond and to whom issued or sold.

Full record kept

SEC. 4. The board of county commissioners of said Elko County, acting as a town board for the said town of Elko, is hereby authorized to negotiate the sale of said bonds; the same to be sold at public sale, after notice for sealed proposals for the purchase of said bonds has been advertised for not less than three weeks in some newspaper of general circulation and printed and published in said town of Elko. Said board may reject any and all bids, and provided that none of said bonds shall be sold for less than par.

Sale of bonds

SEC. 5. Said bonds shall be known as town of Elko funding bonds, and shall each be of the denomination of one thousand dollars. They shall be numbered consecutively commencing with number one, and shall bear interest at the rate of not to exceed six per cent per annum. Said interest, except as to the first payment, shall be payable semi-annually on the first day of January and July of each year. Two of said bonds shall be redeemed on the first day of July, 1918, and annually thereafter two of said bonds shall be redeemed until all of said bonds shall have been redeemed and retired. None of said bonds shall run for more than twenty-six years. The first interest coupon shall be due and payable on January 1, 1918, and the amount of said coupon shall be the interest upon the bond to which it is

Denomination of bonds

Interest limited

How redeemed

attached from the date of the bond until said first day of January, 1918.

Town of Elko
Funding
Fund

SEC. 6. All money derived from the sale of said bonds shall be paid to the county treasurer of said Elko County, and said county treasurer is required to receive and safely keep the same in a fund hereby created and to be known as the town of Elko funding fund, and pay out said money only to pay off the outstanding indebtedness of said town of Elko, as evidenced by the promissory notes heretofore given in connection with said indebtedness.

County
treasurer
responsible

SEC. 7. The county treasurer of said Elko County shall be liable on his official bond for the safe keeping of all money that shall come into his hands under the provisions of this act, and for the faithful discharge of all of his duties in relation thereto.

Fund
created

SEC. 8. For the purpose of creating a fund for the payment of the bonds authorized under this act, and the interest thereon, the board of county commissioners of Elko County, Nevada, is hereby authorized, and required to levy and collect annually, until all of said bonds and the interest thereon, shall have been fully paid, a special tax on all of the property, both real and personal, subject to taxation, including the net proceeds of mines, within the boundaries of said town of Elko, sufficient to pay the interest on said bonds, and to pay and redeem two of said bonds annually; said redemption to commence on the first day of July, 1918, and to continue until all of said bonds have been paid and redeemed. Such tax shall be levied and collected in the same manner and at the same time, as other taxes are assessed and collected, and the proceeds thereof shall be kept in a special fund to be known as "The Town of Elko Funding Bond Redemption Fund."

Duty of
county
treasurer

SEC. 9. It shall be the duty of the said county treasurer to use the money in said fund to pay the interest on said bonds and to redeem said bonds as they severally become due.

Bonds
canceled

SEC. 10. Whenever the said county treasurer shall redeem any of the bonds or interest coupons issued under the provisions of this act, he shall cancel the same, by writing across the face thereof "Paid," together with the date of such payment, sign his name thereto, and turn the same over to the auditor of said Elko County, taking his receipt therefor, and the said auditor shall credit the treasurer on his books for the amount so paid.

Tax to cease,
when

SEC. 11. Whenever the bonds and interest provided for in this act shall have been fully paid, the tax authorized by this act shall cease; and all moneys remaining in said bond redemption fund, shall, by the order of the board of county commissioners of said Elko County, be transferred to the general fund of said town of Elko, and be used thereafter for the payment of any legal claim against said fund.

SEC. 12. Should the holder of said bonds or of any of them, for any cause whatever, fail to present said bonds to the said county treasurer of said Elko County for payment, when they shall become due, all interest on such bonds shall thereafter immediately cease. Interest ceases, when

SEC. 13. The principal and interest on all bonds issued under this act shall be payable at the office of the county treasurer of Elko County, Nevada, at Elko, Elko County, Nevada. Payable, where

SEC. 14. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor the taxation thereby imposed be omitted, until all the bonds and coupons issued under and by virtue hereof shall have been paid in full, as in this act specified. Faith of state pledged

CHAP. 4—*An Act for the relief of the Carson Valley Bank.*

[Approved January 31, 1917]

WHEREAS, During the year 1916, as an outgrowth of the raid upon Columbus, New Mexico, the President of the United States made a call upon the governor of this state for two troops of cavalry for service at the Mexican border; and Relief of Carson Valley Bank

WHEREAS, There was no appropriation to pay the expenses of organizing, enrolling, and maintaining said troops; and

WHEREAS, In view of the aforesaid circumstances the state board of examiners, pursuant to section 4466, Revised Laws of the State of Nevada, by virtue of a resolution in writing, did create a deficiency, and did authorize the adjutant-general to contract for such expenses; and

WHEREAS, Pursuant thereto the adjutant-general of the State of Nevada did contract for expenses in the total sum of eighteen hundred and one dollars and fifty-six cents (\$1,801.56); and

WHEREAS, Claims for said expenses to said amount have been passed upon and allowed by the state board of examiners, which said claims have been duly assigned to the Carson Valley Bank, and the claim of said bank for said sum is a just and legal claim against the State of Nevada; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of eighteen hundred and one dollars and fifty-six cents (\$1,801.56) is hereby appropriated, out of the general fund of the state treasury, to be paid to said Carson Valley Bank in satisfaction of its claim as aforesaid. Appropriation, \$1,801.56

SEC. 2. The state controller is hereby directed to draw his warrant in behalf of said Carson Valley Bank for the amount specified in this act, and the state treasurer is hereby directed to pay the same.

CHAP. 5—*An Act fixing and establishing the fees to be charged in certain cases by the county clerk of Churchill County and ex officio clerk of the Eighth judicial district court, in the State of Nevada, and providing for the disposition of such fees.*

[Approved February 1, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Fees of
Churchill
County clerk

SECTION 1. The county clerk of Churchill County and ex officio clerk of the Eighth judicial district court of the State of Nevada shall charge and collect fees as follows:

On the commencement of any action or proceeding in the district court (except a probate or guardianship proceeding), to be paid by the party commencing such action or proceeding, seven dollars;

On filing of a petition for letters testamentary, or of administration or guardianship, fifteen dollars, to be paid by the petitioner; *provided*, that at the time of filing the inventory and appraisement in any such proceeding there shall be an additional deposit of fifty cents for each additional one thousand dollars of the appraised value in excess of two thousand dollars;

On filing a petition to contest any will or codicil, five dollars, to be paid by the petitioner;

On the appearance of any defendant, or any number of defendants answering jointly, to be paid upon the filing of the first paper in the action by him or them, five dollars; for every additional defendant appearing separately, two dollars and fifty cents; and for every paper so filed containing a cross-complaint or counter-claim, five dollars additional;

For filing a complaint in intervention, five dollars.

The foregoing fees shall be paid in full for all services rendered by such clerk in the case, to and including the making up of the judgment roll.

For all services after judgment roll is made up, pending appeal to the supreme court (not including the making of copies), two dollars and fifty cents, to be paid by the party moving for a new trial or to set aside judgment; for filing notice and undertaking and all services, including indexing, on appeal to the supreme court, three dollars and fifty cents.

The clerk shall also be entitled to charge and collect the following fees and compensation not above provided for:

For any copy of any record, proceeding or paper on file in the office of the clerk, when such copy is made by him, per folio, twenty cents;

For each certificate of the clerk under the seal of the court, fifty cents;

For entering judgment by confession, three dollars;

For filing and indexing all papers to be kept by him, other than papers filed in actions and proceedings in court, and

official bonds and certificates of appointment, twenty-five cents each;

For services performed in an adoption case, five dollars; Fees of
Churchill
County clerk

For filing remittitur from supreme court, one dollar, and for recording judgment entered thereon, twenty cents per folio;

For issuing execution or order of sale, one dollar; and for copying decree and return, twenty cents per folio;

For services performed in an action appealed from a justice's court, six dollars and fifty cents;

For services performed in an action transferred from the district court of another county, four dollars;

For transmission of files and papers on the granting of change of venue to the district court of another county or to the United States court, exclusive of express charge or postage, two dollars and fifty cents;

For services performed in proceedings to perpetuate testimony, one dollar;

For certificates for dismissal of appeal, when prepared by the clerk, two dollars and fifty cents; and when prepared and furnished by the attorney, one dollar;

For filing any paper in any case after judgment, not otherwise provided for, twenty-five cents;

For issuing transcript of judgment, twenty cents per folio;

For taking and certifying depositions, for each folio, twenty cents, besides four dollars for each day's attendance;

For filing objections or cross-petitions to the appointment of an executor, administrator, or guardian, or objections to the settlement of accounts or any other proceedings in an estate or guardianship matter, five dollars, to be paid by the moving or objecting party;

For all services not herein enumerated, such fees as are now or may hereafter be fixed by law; *provided*, that no fee shall be allowed to or charged by the clerk for any services rendered in any criminal case.

SEC. 2. The foregoing fees shall be collected in addition to the fees provided for and known as "special court fees" in sections 2030 and 2031 of the Revised Laws of Nevada, 1912. No fees in
criminal
cases

SEC. 3. The clerk shall on the first Monday of each and every month pay to the county treasurer the amount of all fees charged by the said clerk during the next preceding month. Clerk to pay
all fees to
treasurer

SEC. 4. This act shall take effect on May 1, 1917; *provided*, that in all proceedings begun, or for acts performed, previous to this act becoming a law, such fees and charges as were provided by law at the time such action or proceeding was begun or acts performed shall be charged and collected until the termination thereof. In effect
May 1, 1917;
proviso

CHAP. 6—*An Act for the relief of the Reno National Bank of Reno, Nevada.*

[Approved February 7, 1917]

Relief of
Reno
National
Bank

WHEREAS, During the year 1916 a violent outbreak of rabies occurred in the State of Nevada, threatening and seriously menacing public health, the livestock industry, and our commerce with other commonwealths, which were threatening rigid quarantine against our livestock exports; and

WHEREAS, Such outbreak was unanticipated and no appropriation for the suppression thereof was made by the legislature at the session of 1915; and

WHEREAS, It became necessary that funds should be raised for the suppression of said outbreak in order that it might not spread throughout the state with serious injury to the public health, cattle, sheep, and other interests of the state; therefore the state board of examiners by resolution in writing did declare a deficiency appropriation for the purpose of suppressing said outbreak of rabies; and

WHEREAS, Acting upon said deficiency appropriation the state board of stock commissioners contracted certain indebtedness to the amount of nine thousand six hundred six dollars and five cents (\$9,606.05), which said claims have been duly examined, approved, and allowed by the said board of examiners, and have been assigned to the said Reno National Bank of Reno, Nevada; and

WHEREAS, The claim of the said Reno National Bank of Reno, Nevada, is a just and legal claim against the State of Nevada; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation,
\$9,606.05

SECTION 1. The sum of nine thousand six hundred six dollars and five cents (\$9,606.05) is hereby appropriated, out of any moneys in the treasury not heretofore appropriated, in payment of said claim of said Reno National Bank of Reno, Nevada, and the state controller is hereby directed to draw his warrant for said amount in favor of said bank, and the state treasurer is directed to pay the same.

CHAP. 7—*An Act fixing the fees and compensation of witnesses in criminal cases in and for the county of Humboldt, State of Nevada, and providing payment therefor.*

[Approved February 7, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Witness fees
in criminal
cases in
Humboldt
County

SECTION 1. All witnesses subpoenaed in criminal cases to appear before the district court of Humboldt County, State of Nevada, shall receive as fees two and one-half dollars

per diem, from the date of their appearance at court (as per subpoena) until excused. The clerk of said court shall keep a pay-roll, enrolling therein all names of witnesses, the number of days in attendance and the actual number of miles traveled by the most practical route in coming to and returning from said court, for which such witnesses shall receive ten cents for each mile so traveled. The clerk of said court shall forthwith give a statement of such amount to the county auditor of said Humboldt County, who shall draw warrants upon the county treasurer for the payment of such witnesses: *provided, however*, that not more than two witnesses shall be subpoenaed to prove the same fact, at the expense of the county, and that the judge before whom the hearing or trial is had shall certify at the conclusion of the testimony of said witnesses that the testimony of said witnesses was material and relevant in the matter tried.

Clerk shall
keep pay-roll

CHAP. 8—*An Act to establish assembly districts in the county of Washoe, and providing for the election therefrom of members of the assembly for the State of Nevada.*

[Approved February 10, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The county of Washoe is hereby divided into three assembly districts, as follows: All that portion of Washoe County lying north of Reno, and including the voting precinct of Wadsworth, shall be known as assembly district No. 1, with one assemblyman to be elected at large. Voting precincts of Sparks, as established by the county commissioners of Washoe County, shall be known as assembly district No. 2, with one assemblyman to be elected at large. All that portion of Washoe County known as the voting precincts of Reno and Verdi, and all that portion of the county of Washoe south of the city of Reno, shall be known as assembly district No. 3, with five assemblymen to be elected at large.

Assembly
districts
established
in Washoe
County

SEC. 2. At each election held hereafter at which assemblymen are to be elected, or nominated for election, from said county, there shall be elected or nominated by the qualified electors of assembly district No. 1, one assemblyman at large; assembly district No. 2, one assemblyman at large; assembly district No. 3, five assemblymen at large.

Apportion-
ment of
assembly-
men

SEC. 3. The county commissioners of Washoe County shall, prior to all elections and as provided by law, establish the polling places within said county in such manner that each and every polling place for all elections at which any assemblymen are to be elected, or nominated for election, shall be wholly within some one of said assembly districts, and any establishment of a polling place for any such election which

County com-
missioners to
establish
polling
places

lies partly in two or more assembly districts shall be wholly null and void.

Change in
number of
assembly-
men to
abrogate this
act

SEC. 4. This act shall become operative from and after its passage and approval and shall continue in effect as long as the number of assemblymen to be elected from Washoe County shall continue to be seven, and shall *ipso facto*, and without further legislative action, be abrogated and repealed by any change in the number of assemblymen to which Washoe County is entitled.

CHAP. 9—*An Act to amend section 407 of an act entitled "An act concerning crimes and punishments and repealing certain acts relating thereto," approved March 17, 1911, effective January 1, 1912.*

[Approved February 10, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Amending
law
regarding
uttering false
checks, etc.

SECTION 1. Section 407 of an act entitled "An act concerning crimes and punishments and repealing certain acts relating thereto," approved March 17, 1911, effective January 1, 1912, is hereby amended so as to read as follows:

Felony

Section 407. Every person who shall make, pass, utter or publish with the intention to defraud any other person or persons, firm, corporation or body politic, any bill, note, check or other instrument in writing for the payment of money or the delivery of other valuable property, directed to, or drawn upon, any real or fictitious person, bank, firm, partnership, or corporation, when in fact such person shall have no money, property or credit or shall have insufficient money, property, or credit with the drawee of such instrument to meet and make payment of the same, shall be deemed guilty of a felony, and, upon conviction thereof, shall be punished by a fine of not more than one thousand dollars or by imprisonment in the state prison not less than one nor more than two years, or by both such fine and imprisonment. If payment of money is refused on any instrument mentioned above when the instrument calls for the payment of money, because the maker has insufficient money with the drawee to meet and make payment of same, and the person who shall make, pass, utter or publish said instrument shall fail to deposit with the person, bank, firm, partnership or corporation upon which the paper is drawn within ten days from the date the said instrument was presented for payment, a sufficient sum to pay the amount called for in the instrument or pay to the person holding the instrument the amount thereof, together with any protest fees that have been paid thereon, it shall be *prima facie* evidence that the person who made, passed, uttered or published the instru-

ment intended to defraud. *And, provided further*, that if Proviso
any person shall sign his name to a check or draft which has
inscribed over his signature the words "I hereby represent
that the amount called for in this instrument is on deposit
to my credit free of any claim, and acknowledge that this
amount has been paid to me upon representation of such
fact" and payment of such check or draft is refused by the
person or persons, firm, corporation, partnership, or bank
upon which it is drawn, because such person shall have no
money, property, or credit, or shall have insufficient money,
property, or credit with the drawee of the said instrument
to meet and make payment of the same, it shall be *prima*
facie evidence that the person who made, passed, uttered or
published said instrument intended to defraud. All acts or
parts of acts that conflict herewith are hereby repealed.

CHAP. 10—*An Act to amend section 2 of an act entitled "An
act to regulate the fees and compensation of the county
clerk of Washoe County, State of Nevada, and to repeal all
other acts and parts of acts in conflict therewith," approved
March 23, 1909, as amended March 25, 1911.*

[Approved February 10, 1917]

*The People of the State of Nevada, represented in Senate and
Assembly, do enact as follows:*

SECTION 1. Section 2 of an act entitled "An act to regu- Fees of
Washoe
County
clerk
late the fees and compensation of the county clerk of Washoe
County, State of Nevada, and to repeal all other acts and
parts of acts in conflict therewith," approved March 23, 1909,
is hereby amended so as to read as follows:

Section 2. The county clerk of Washoe County, State of
Nevada, shall be allowed to charge, and to collect, the follow-
ing fees; *provided, however*, that said clerk shall neither Exceptions
charge, nor collect, any fees for services by him rendered
to the State of Nevada or the county of Washoe or any city
or town within said Washoe County, or any officer thereof
in his official capacity:

On the commencement of any action or proceeding in the
district court, except probate proceedings, or on an appeal
thereto, to be paid by the party commencing such action or
proceeding, or taking such appeal, seven dollars; said fee to
be in addition to the court fee now provided for by law;

On the filing of a petition for letters testamentary, or of
administration, or guardianship, eight dollars and fifty cents,
to be paid by the petitioner;

On filing a petition to contest any will or codicil, five dol-
lars, to be paid by the petitioner;

On the appearance of any defendant, or any number of
defendants answering jointly, to be paid upon the filing of

Fees of
Washoe
County
clerk

the first paper in the action by him or them, five dollars; for every additional defendant, appearing separately, two dollars and fifty cents.

The foregoing fees shall be in full for all services rendered by such clerk in the case, to and including the making up of the judgment roll.

On the filing of any notice of motion to move for a new trial of any civil action or proceeding, the party filing same shall pay to the clerk, in full for all services to be rendered in connection with said motion, two dollars and fifty cents;

For issuing an execution or order of sale, in any action, one dollar;

For filing a notice of appeal, and appeal bonds, each, fifty cents;

In all proceedings begun, or for acts performed, previous to this act becoming a law, such fees and charges as were provided by law at the time such action or proceeding was begun or acts performed. The clerk shall also be entitled to charge and collect the following fees and compensations not above provided for:

For any copy of any record, proceeding, or paper on file in the office of the clerk, relating to any civil action theretofore tried or pending in said court, when such copy is made by him, per folio, fifteen cents;

For each certificate of the clerk, under the seal of the court, fifty cents;

For filing each claim, in probate or insolvency proceedings, to be paid by the party filing such claim, fifteen cents.

No fees in
criminal
cases

No fee shall be allowed to, or charged by, the clerk for any services rendered in any criminal case.

For services rendered by the clerk, not in connection with civil actions or proceedings in the court, he shall be entitled to charge and collect the following fees:

For issuing marriage licenses, one-half to be paid to the county recorder, two dollars;

For filing, indexing, and recording articles of incorporation, ten dollars;

For filing, indexing, and registering certificates of copartnership, one dollar;

For filing and indexing all papers to be kept by him, other than papers filed in actions and proceedings in court, and official bonds and certificates of appointment, each, twenty-five cents;

For issuing any license required by law, other than marriage licenses, one dollar;

For examining and certifying to a copy of any paper, record, or proceeding, prepared by another, and presented for his certificate, two dollars, and two cents per folio for comparing said copy with the original;

For making satisfaction of or credit on judgment, twenty-five cents;

For filing and receiving remittitur from supreme court, fifty cents; Fees of Washoe County clerk

For administering each oath, without certificate, except in a pending action or proceeding, twenty-five cents;

For taking any affidavit, except in criminal cases, twenty-five cents;

For taking and approving each undertaking, and the justification thereof, except in criminal cases, fifty cents;

For searching records of files in his office, for each year (but not to charge suitors or attorneys), fifty cents;

For taking acknowledgment of any deed, or other instrument, including the certificate, one dollar.

SEC. 2. All acts and parts of acts in conflict with this act are hereby repealed. Repeal

CHAP. 11—*An Act to amend section two of an act entitled "An act to provide for the partial support of mothers who are dependent upon their own efforts for the maintenance of their children, and giving county commissioners of the State of Nevada jurisdiction in such matters, and prescribing penalties for those who fraudulently obtain the benefit thereof," approved March 15, 1915.*

[Approved February 10, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 2 of an act entitled "An act to provide for the partial support of mothers who are dependent upon their own efforts for the maintenance of their children, and giving county commissioners of the State of Nevada jurisdiction in such matters, and prescribing penalties for those who fraudulently obtain the benefit thereof," approved March 15, 1915, is hereby amended to read as follows: Amending indigent mothers' relief law

Section 2. The allowance to each of such mothers shall not exceed the sum of twenty-five dollars per month when she has but one child under the age of fifteen years, and if she has more than one child under the age of fifteen years, it shall not exceed the sum of twenty-five dollars a month for the first child and fifteen dollars a month for each of the other children under the age of fifteen years, but in no case shall the entire allowance for mother and children be more than fifty-five dollars per month. Allowances specified
Maximum of \$55 per month

CHAP. 12—*An Act fixing the salaries of certain justices of the peace and constables in the county of Churchill, State of Nevada, and other matters relating thereto.*

[Approved February 10, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Fixing
salaries of
certain
justices of
the peace and
constables in
Churchill
County for
1917 and 1918

SECTION 1. From and after the first day of April, 1917, to and including the 31st day of December, 1918, the justice of the peace of Wonder township in the county of Churchill, State of Nevada, shall be allowed and shall receive a salary of \$480 per annum. The justice of the peace in and for Fairview township in said county and state shall be allowed and receive a salary of \$240 per annum. The justice of the peace in and for Stillwater township in said county and state shall be allowed and receive a salary of \$240 per annum. The justice of the peace in and for New River township in said county and state shall be allowed and receive a salary of \$600 per annum. The justice of the peace in and for Hot Springs township in said county and state shall be allowed and receive a salary of \$600 per annum. The constable in and for Wonder township shall be allowed and receive a salary of \$720 per annum. The constable in and for Fairview township shall be allowed and receive a salary of \$300 per annum. The constable in and for Stillwater township shall be allowed and receive a salary of \$300 per annum. The constable in and for New River township shall be allowed and receive a salary of \$300 per annum. The constable in and for Hot Springs township shall be allowed and receive a salary of \$1,500 per annum.

Same
salaries fixed
after
January 1,
1919

SEC. 2. From and after the first day of January, 1919, the justice of the peace of Wonder township in said county and state shall be allowed and receive a salary of \$240 per annum. The justice of the peace in Fairview township in said county and state shall be allowed and receive a salary of \$240 per annum. The justice of the peace of New River township in said county and state shall be allowed and receive a salary of \$600 per annum. The justice of the peace of Hot Springs township in said county and state shall be allowed and receive a salary of \$240 per annum. The constable of Wonder township in said county and state shall be allowed and receive a salary of \$300 per annum. The constable of Fairview township in said county and state shall be allowed and receive a salary of \$300 per annum. The constable of New River township in said county and state shall be allowed and receive a salary of \$300 per annum. The constable of Hot Springs township in said county and state shall be allowed and receive a salary of \$1,500 per annum.

SEC. 3. The above-mentioned salaries shall be considered in full payment for all services rendered by the above-named

officers in criminal proceedings, and shall be paid in twelve equal monthly installments, and the county auditor shall each month draw his warrants in favor of said officers for the salaries due for the last preceding month, and the county treasurer shall pay said warrants in like manner as the salaries of county officers are paid.

All fees in criminal cases included in salaries named

SEC. 4. That certain act entitled "An act fixing the salaries of justices of the peace and constables in and for Wonder, Fairview, Stillwater, New River, and Hot Springs townships, in the county of Churchill, State of Nevada, and other matters relating thereto," approved March 10, 1913, and all other acts and parts of acts in conflict herewith are hereby repealed.

Previous act repealed

SEC. 5. This act shall take effect and be in force from and after the first day of April, 1917.

In effect April 1, 1917

CHAP. 13—*An Act authorizing the sale, lease or option of mines, mining claims or mining property owned or held by estates, and providing for the conveyance thereof.*

[Approved February 12, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. When all or any portion of the estate of any deceased person, or of any ward under guardianship, consists of mines, mining claims or mining property, whether patented or unpatented, or of interests in mines, mining claims, and mining property, the administrator or executor of the estate of such deceased person, or the guardian of the property of the ward, may petition the court having jurisdiction of the estate for leave to lease such mines, mining claims, or mining property, or such interests in mines, mining claims or other mining property, belonging to the estate of the deceased, or to the ward, with an option to the lessee to purchase the same; and if upon the hearing it appears to the satisfaction of the court that it is for the best interest of the estate or of the ward, the court may make an order authorizing the administrator, executor or guardian to lease all or any portion of such mines, mining claims or other mining property, or all, or any portion, of the interests therein belonging to the estate or to the ward, as he shall designate in the order, and to give an option to the lessee to purchase the same within a specified time at a stipulated price; and when such order has been made, the executor, administrator, or guardian may lease the property or the interests in the property specified in said order, and give the lessee an option to purchase the same within the time, at the price, and on the terms specified in the order.

Guardian or administrator may sell, lease or grant option on mining property of ward or estate

SEC. 2. If the lessee complies with the terms of the lease

When deed
may be
executed

and accepts the option and tenders the stipulated price, he shall be entitled to a deed to be executed and delivered by the administrator, executor or guardian in the name of the interested heirs or wards for the mines, mining claims or other mining property, or the aforesaid interest therein upon which the option was given, and title shall pass upon execution and delivery of such deed acknowledging payment of such price without further order by the court.

Repeal

SEC. 3. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

CHAP. 14—*An Act limiting the hours of labor of females employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or by any express or transportation company; compelling each employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or other establishment employing any female, to provide suitable seats for all female employees, and to permit them to use such seats when they are not engaged in the active duties of their employment; and providing a penalty for failure, neglect, or refusal of the employer to comply with the provisions of this act, and for permitting or suffering any overseer, superintendent, foreman, or any other agent of any such employer to violate the provisions of this act.*

[Approved February 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Females not
to work more
than 8 hours
in one day or
56 hours in
one week

SECTION 1. No female shall be employed in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, public lodging-house, apartment house, place of amusement, or restaurant, or by any express or transportation company in this state, more than eight hours during any one day, or more than fifty-six hours in one week. The hours of work may be so arranged as to permit the employment of females at any time so that they shall not work more than eight hours during the twenty-four hours of one day, or fifty-six hours during any one week; *provided, however*, that the provisions of this section in relation to hours of employment shall not apply to nor affect the harvesting, curing, canning, or drying of any variety of perishable fruit or vegetable, nor to nurses, nor to nurses in training in hospitals.

Certain
exceptions

Seats to be
provided for
female
workers

SEC. 2. Every employer in any manufacturing, mechanical, or mercantile establishment, laundry, hotel, or restaurant, or other establishment, employing any female, shall provide suitable seats for all female employees, and shall permit them to use such seats when they are not engaged in the active duties of their employment.

SEC. 3. The district attorneys of the respective counties of this state, and the attorney-general of this state, shall enforce the provisions of this act, and said district attorneys, and said attorney-general and their deputies and agents, shall have all powers and authority of sheriffs or other peace officers to make arrests for violations of the provisions of this act, and to serve all processes and notices thereunder throughout the state.

District attorneys and attorney-general to enforce this act

SEC. 4. Any employer who shall permit or require any female to work in any of the places mentioned in section one more than the number of hours provided for in this act during any day of twenty-four hours, or who shall fail, neglect, or refuse to so arrange the work of females in his employ so that they shall not work more than the number of hours provided for in this act during any day of twenty-four hours, or who shall fail, neglect, or refuse to provide suitable seats as provided in section two of this act, or who shall permit or suffer any overseer, superintendent, foreman, or other agent of any such employer to violate any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished for a first offense, by a fine of not less than twenty-five dollars nor more than fifty dollars; for a second offense, by a fine of not less than one hundred dollars nor more than two hundred and fifty dollars; or by imprisonment for not more than sixty days, or by both such fine and imprisonment. All fines imposed and collected under the provisions of this act shall be paid into the state treasury and credited to the state permanent school fund of this state.

Employers fined or imprisoned for non-compliance

Penalties

Fines go to state school fund

CHAP. 15—*An Act to provide for bonding counties for building and equipping county high schools and dormitories or for either one of these purposes, and other matters properly connected therewith.*

[Approved February 16, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Whenever the county board of education in any county having a county high school shall certify to the board of county commissioners of such county that a new county high-school building or dormitory, or both of these are needed, or that it is necessary to enlarge one or more of the buildings in use, or to acquire a new building site or additional land for necessary school purposes or to purchase or acquire other necessary high-school equipment, and that the cost of the same is such that a bond issue for the purpose is advisable, and shall furnish the board of county commissioners with a definite statement of the amount of money

Question of bonds for high-school equipment submitted to voters, when

needed therefor, said board of county commissioners is hereby authorized and directed to submit the question of bonding the county for the amount and purposes named to the voters of the county at the next general election; or said board may, in its discretion, order a special election if so requested by the county board of education.

Special
election,
when

Notice of
election

SEC. 2. The board of county commissioners may make an order for the bond election provided for in this act at any regular meeting or at a special meeting held not less than eight weeks before any general or special election, which election shall be noticed, held and conducted, and returns thereof made as and in the manner now provided by law for holding elections in the several counties of the state.

The election notice must contain:

What notice
must
contain

First—The time and places of holding such election.

Second—The hours during the day in which the polls will be opened, which hours shall be the same as at general elections.

Third—The amount of the bonds, the rate of interest, not exceeding six per centum, and the number of years, not exceeding twenty, the bonds are to run.

Fourth—In what town or city the proposed new buildings or enlargements are to be erected or where a new building site or additional land is to be acquired, or where the proposed equipment is to be placed and used.

Fifth—The purpose or purposes for which the money realized from the sale of the bonds is to be used.

Sixth—Such other facts as may be necessary to fully inform the voters of the nature and purposes of the proposed bond issue.

There shall be placed upon one line of the printed ballots for such election the words "For the bonds," and immediately below upon another line on the ballot, the words "Against the bonds."

The method of indicating choice thereof shall be the usual method prescribed in this state.

Bond issue
decided by
election

SEC. 3. If upon the official determination of the result of such election it shall appear that a majority of all the votes cast are "For the bonds" the board of county commissioners, as soon as practicable thereafter, shall issue the negotiable coupon bonds of the county in such form and denomination as the county board of education may direct, but not in conflict with the election notice thereof, said bonds to run for a period not to exceed twenty (20) years from the date of issue and to bear interest at a rate not exceeding six (6) per cent per annum, payable semiannually, both principal and interest payable at such place as the board of county commissioners may direct. Before any of the bonds provided for in this act are sold, notice of the proposed sale must be given

by publication in a newspaper of general circulation in the county for at least three weeks, inviting sealed bids to be made for said bonds, and the bonds shall be sold to the highest and best bidder, but in no event shall be sold for less than their par value.

SEC. 4. All bonds issued under the provisions of this act shall be signed by the chairman of the board of county commissioners, attested by its clerk, sealed with the seal of the county, and countersigned by the county treasurer; and each of the interest coupons attached to said bond shall be signed by the original or engraved facsimile signature of said chairman, clerk and treasurer.

Particulars
regarding
bonds

SEC. 5. Before any county shall sell any bonds under the provisions of this act, all such bonds shall be delivered to the treasurer of the county to be duly registered by him in a book kept for that purpose in his office, which shall show the amount, the place and time of payment, and the rate of interest; and all such bonds shall bear the certificate of the county treasurer to the effect that they are issued and registered under the provisions of this act. After such registry the bonds shall be advertised for sale and sold by the county board of education for the purpose of raising funds for the objects designated in this act. All moneys derived from the sale of such bonds shall be paid to the county treasurer, and the said treasurer is hereby required to receive and safely keep the same in a fund hereby created and known as the "County High-School Building Fund," and to pay out said moneys in the manner now provided by law for payments from the "County High-School Fund" and for the purposes provided for in this act. The county board of education is hereby authorized and directed to use the money derived from the sale of said bonds, or such portion thereof as they may deem necessary, for the construction or enlargement of the high-school building or dormitory, or both, as the case may be, and for the purchase of property for a building site, agricultural gardens and other necessary school purposes; and any balance remaining in such fund after the accomplishment of the said purpose or purposes for which said bonds are issued shall be converted into and become a part of the "County High-School Fund." Said county board of education shall determine as to the character and location, within the town or city as advertised, of said building or improvements and the materials and plans to be used therefor; or of the building site, additional land or high-school equipment; said board shall advertise for bids for the construction thereof and let the construction thereof by contract to the lowest responsible bidder, said board to have authority to reject any and all bids and to readvertise until a satisfactory bid is obtained. Should the holder of any bond or bonds issued under this act, for any cause whatever, fail to present the

Bonds to be
registered by
county
treasurer

"County
High-School
Building
Fund"

Interest on
bonds ceases,
when

same to the county treasurer for payment when due, all interest thereon shall thereupon immediately cease.

Special
county tax
for interest
and
redemption
of bonds

SEC. 6. Whenever a county shall issue and sell any bonds under the provisions of this act, it shall be the duty of the board of county commissioners to annually levy and assess a special tax on all the taxable property of such county, including the net proceeds of mines, in an amount sufficient to pay the interest accruing thereon promptly when and as same becomes due, according to the tenor and effect of said bonds, and the county treasurer shall collect the same as other taxes are collected, in cash only, keeping the same separate from other funds received by him, and shall cause said interest to always be promptly paid at the place of payment specified in the bonds; if there be any surplus after paying said interest, the treasurer shall without delay pass the same to the credit of the county high-school fund, and such money so passed to the credit of said fund, shall be subject to the disposal of the county board of education; and annually thereafter, provided the board of county commissioners so determine, until the full payment of such bonds has been made, the board of county commissioners shall levy and assess a special tax, and shall cause such special tax to be collected on all the taxable property of the county, including the net proceeds of mines, sufficient to raise annually a proportion of the principal of said bonds equal to a sum produced by taking the whole amount of said bonds outstanding and dividing it by the number of years said bonds then have to run, which amount shall be levied and assessed as aforesaid, and shall be collected by the county treasurer in the same manner as the tax for the payment of the interest coupons, and when collected shall be known as the "County High-School Bond Sinking Fund" and shall be used only for the payment of said bonds which said county treasurer shall cause to be paid at the place of payment specified in such bonds. The sinking fund thus created may be applied to the purchase and cancellation of the outstanding bonds provided for in this act before the same become due. At the maturity of such bonds the county treasurer shall call in and pay them with the interest accrued thereon, and shall duly cancel each bond and certify his action to the board of county commissioners and county board of education. In the event the funds to pay interest are not collected in time to permit the payment of the interest on said bonds when the same shall become due, the county treasurer shall pay the amount due out of the general county fund and then reimburse said fund for the amount so borrowed from it when said interest funds are collected.

General
county fund
used, when

Maximum
bonding
limits

SEC. 7. The maximum bonding limit of counties for county high-school purposes under the provisions of this act shall be as follows:

1. For counties having a total assessed valuation of two million five hundred thousand (\$2,500,000) dollars or less, ^{Maximum bonding limits} two and one-half per cent of such valuation.

2. For counties having an assessed valuation of over two million five hundred thousand (\$2,500,000) and less than five million (\$5,000,000) dollars of assessed valuation, two per cent of such valuation.

3. For counties having an assessed valuation of five million (\$5,000,000) dollars and less than ten million (\$10,000,000) dollars of assessed valuation, one and one-half per cent of such valuation.

4. For counties having ten million (\$10,000,000) dollars or over of assessed valuation, one per cent of such valuation.

Sec. 8. No change in the boundary lines of any county shall release the taxable real property of the county from assessment and levy of the taxes to pay the interest and principal of such bonds, and if there shall be any change in the boundary of such county so as to leave out any portion of the taxable real property of the county which was subject to taxation in the county at the time of the issue of such bonds, the assessment and levy of taxes for the payment of the principal and interest of such bonds shall be made on such property as if it were still within the county, and shall be collected in like manner, and if there shall be any change of the boundary lines of such county so as to annex or include any taxable or real property, after the issue of such bonds, the real property so included or annexed shall thereafter be subject to the assessment and levy of a tax for the payment of the principal and interest of such bonds. ^{Change in lines of county not to release property from taxation}

Sec. 9. All taxes levied and assessed as in this act provided shall constitute a lien on the property charged therewith, from the date of the levy thereof by the county commissioners, or the entry thereof on the assessment roll of the county auditor, until the same are paid, and thereafter, if allowed to become delinquent, shall be enforced in the same manner as is now provided by law for the collection of state and county taxes. And no additional allowance, fee, or compensation whatever shall be paid to any officer for carrying out the provisions of this act. ^{Taxes a lien on property}

Sec. 10. All bonds authorized or issued under the provisions of law existing prior to the passage of this act are hereby declared to be valid and the county board of education is hereby authorized to use the proceeds derived from the sale thereof for any or all of the purposes hereinbefore mentioned. ^{Bonds declared valid}

Sec. 11. All acts or parts of acts in conflict with this act are hereby repealed. ^{Repeal}

CHAP. 16—*An Act to amend an act entitled "An act to provide for the creation of corporations sole, and defining the powers thereof, and other matters relating to such corporations," approved March 2, 1915.*

[Approved February 16, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three of said act is hereby amended to read as follows:

Section 3. The articles of incorporation shall specify:

What articles
of incorpora-
tions, etc.,
must
specify

1. The name of the corporation by which it shall be known;
2. The object of said corporation;
3. The estimated value of the property at the time of making the articles of incorporation;
4. The title of the person making such articles, and the manner in which any such vacancy occurring in the incumbency of such archbishop, bishop, president, trustee in trust, president of stake, president of congregation, overseer, presiding elder, or clergyman is required by the rules, regulations, or discipline of such church, society, or denomination to be filled.

CHAP. 17—*An Act making an appropriation for the payment of wages and salaries of the employees of the state printing office.*

[Approved February 16, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation
for
salaries and
wages in
state printing
office

SECTION 1. The sum of ten thousand dollars is hereby appropriated, out of any money in the state treasury not otherwise appropriated, and made immediately available, for the payment of the wages and salaries of the employees of the state printing office for the year 1917 in the manner and form provided by law.

CHAP. 18—*An Act authorizing and empowering the city council of the city of Reno, in the county of Washoe, State of Nevada, to dispose of certain parcels of real estate.*

[Approved February 16, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

City council
of Reno
authorized to
convey
certain real
estate

SECTION 1. The city council of the city of Reno is hereby authorized and empowered to act as follows: To grant, bargain, and sell to the Riverside Mill Company, a corporation organized and doing business under and by virtue of the laws of the State of Nevada, with its principal place of business in the city of Reno, the following-described property,

in the city of Reno, county of Washoe, State of Nevada: Starting at the southeast corner of block "W" of Reno town-site, thence westerly along the south line of said block "W" one hundred and ten one-hundredths (100.10) feet; thence northerly parallel to the easterly line of said block "W" seventy-three and thirty-three one-hundredths (73.33) feet to the southeast corner of the land to be described and sold; thence westerly at right angles twenty-nine and twenty-five one-hundredths (29.25) feet; thence northeasterly along the southeasterly bank of the Riverside Mill Company's ditch commonly known as the "Riverside Mill Ditch" thirty-three (33) feet; thence southerly parallel to the easterly line of said block "W" to the point of beginning; said property to be granted, bargained, and sold as aforesaid for and in consideration of the Riverside Mill Company's granting, bargaining, and selling to the city of Reno its surface rights over and above the Riverside mill ditch, in the city of Reno, county of Washoe, owned by it, where said ditch crosses, or may cross, the east one hundred feet of lot twelve and the south half of lot eleven in block "W," Reno townsite; further granting, bargaining, and selling the right, privilege, and power to said city of Reno to keep the surface of said ditch in the east one hundred feet of lot twelve and the south half of lot eleven as aforesaid covered and bridged over on a level with the surface of the contiguous property of said city of Reno.

Conditions of transfer

CHAP. 19—*An Act for the relief of William McKnight.*

[Approved February 19, 1917]

WHEREAS, In September, 1916, it became necessary to renew the insurance policies on the pavilion, grand-stand and stables belonging to the Nevada State Agricultural Society, which said buildings are the property of the State of Nevada; and

Relief of William McKnight

WHEREAS, The appropriation in favor of the said Nevada Agricultural Society was exhausted and it was, therefore, impossible to pay said payment out of said appropriation; and

WHEREAS, The amount of said premiums being the sum of \$413.76 was advanced and paid by Wm. McKnight, and the same is a just and legal claim against the State of Nevada; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of \$413.76 is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, and the state controller is hereby directed to draw his warrant in payment of the said Wm. McKnight for the said sum, and the state treasurer is hereby directed to pay the same.

Appropriation, \$413.76

CHAP. 20—*An Act appropriating four thousand eight hundred dollars for the support and maintenance of the Florence Crittenton Mission of Nevada, Incorporated, located at Reno, Washoe County, Nevada.*

[Approved February 19, 1917]

Florence
Crittenton
Mission

WHEREAS, A number of the citizens of the State of Nevada have incorporated under the laws of the State of Nevada the Florence Crittenton Mission, Incorporated, and a branch of the National Crittenton Mission; and

WHEREAS, Among other things, the purposes for which said corporation is formed are: To aid and encourage destitute, homeless, and friendless women to lead lives of respect, and to reach positions of honorable self-support; to provide a temporary home and employment for women and girls who have been led from the path of virtue and who sincerely desire to reform, and to aid and encourage them to seek respectability and reformation of character; to provide shelter for young and unprotected mothers with their children, and to encourage and assist young mothers in caring for their children, etc.; and

WHEREAS, Said corporation has no capital stock nor shares of stock; and its members consist of men and women who are in sympathy with, and who voluntarily contribute to, its purposes, and the contributions of said corporation since its organization have been very small; and

WHEREAS, Said corporation has cared for many who have sought shelter, and the demands of said corporation are continually increasing, and it is without funds to properly care for those seeking its protection, and carrying out the great objects and purposes for which it was organized; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation.
\$4,800

SECTION 1. The sum of four thousand eight hundred dollars is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, for the purposes of assisting the Florence Crittenton Mission of Nevada, Incorporated, in carrying out the objects and purposes for which it was organized; *provided*, that said money shall be used for the purposes ordered, and with the consent of the state board of examiners.

SEC. 2. Said four thousand eight hundred dollars thus appropriated shall be paid to the treasurer of said corporation in installments of two hundred dollars per month for a period of twenty-four (24) months.

SEC. 3. The state controller is hereby authorized and required to draw his warrant in favor of the treasurer of said corporation for the sums named in this act, and the state treasurer is hereby authorized and required to pay the same.

CHAP. 21—*An Act to amend section 594 of an act entitled "An act to regulate proceedings in criminal cases in this state, and to repeal all other acts in relation thereto," approved March 17, 1911.*

[Approved February 19, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 594 of the above-entitled act is hereby amended to read as follows:

Section 594. Whenever any fugitive from justice shall be returned to this state under interstate or international extradition, and shall be delivered to the sheriff of the county in which the fugitive is charged with having committed a crime against the laws of this state, the board of county commissioners of every such county is authorized to provide for the payment by the county of such reasonable sum of money to defray the expenses of the extradition and delivery aforesaid as the board may deem just and reasonable; *provided*, that a majority of the members of the board of county commissioners shall have consented, by order of the board entered on its minutes, to the extradition of the fugitive before extradition proceedings are instituted, and not otherwise.

County commissioners to provide for reasonable expenses in extradition proceedings

Provido

CHAP. 22—*An Act empowering the board of trustees of school district No. 1, of Ormsby County, Nevada, to borrow money and issue its notes as security for the payment thereof, and directing the board of county commissioners of said county to levy a special tax for the payment of the same and matters relating thereto.*

[Approved February 19, 1917]

WHEREAS, School district No. 1, Ormsby County, State of Nevada, has a floating indebtedness, represented by outstanding warrants bearing seven (7%) per cent interest per annum, amounting to the sum of \$8,242.03; and

Ormsby County authorized to issue notes to meet indebtedness of schools

WHEREAS, The trustees of said school district are able to secure the said sum of money so owed for interest at the rate of five (5%) per cent per annum, and it is for the best interests of said district that the said trustees be authorized to borrow such amount and to retire the said outstanding warrants; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The board of trustees of school district No. 1, of Ormsby County, Nevada, is hereby authorized and empowered to borrow a sum of money not to exceed six thousand (\$6,000) dollars, with interest at a rate not to exceed five (5%) per cent per annum, payable semiannually, and to

To borrow \$6,000 at 5 per cent interest

To issue
promissory
notes

issue promissory notes of said school district No. 1, Ormsby County, Nevada, as security therefor. Said notes shall be numbered consecutively and one retired semiannually, in accordance with the numbers, beginning with December, 1917; the date of maturity shall be indicated on each note and shall be fixed by the trustees before issuance. Said money to be used for the sole purpose of retiring and paying outstanding unpaid warrants.

Tax
authorized to
redeem
notes

SEC. 2. To provide for the payment of the principal and interest on said notes herein authorized to be issued, the board of county commissioners of Ormsby County, Nevada, shall in the year 1917, and annually thereafter until the said notes and interest are fully paid, at the time of levying taxes for state and county purposes (and in the same manner), levy a special and additional tax upon all the property situated within said school district No. 1, sufficient to pay the interest due upon all outstanding notes, and retire one-fourth of the original issue of said notes.

Interest and
redemption
fund created

SEC. 3. Said property shall be assessed and said taxes collected the same as other taxes, and shall be paid to the county treasurer and by him assigned to the school district No. 1 "Special Interest and Redemption Fund." At the maturity of said notes they shall be paid by the county treasurer out of said fund, upon the presentation and surrender of said notes. No interest shall be paid on said notes after maturity unless presented for payment.

Faith of state
pledged

SEC. 4. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor taxation imposed omitted, until all the notes issued under and by virtue thereof shall have been paid in full, as in this act specified.

CHAP. 23—*An Act to repeal certain sections of an act entitled "An act creating a Lincoln highway commission and to provide for the construction and repair of the public highway known as the Lincoln highway in the counties of White Pine, Eureka, Lander, Churchill, Washoe, and Ormsby, in the State of Nevada, and other matters relating thereto, and making an appropriation therefor," approved March 26, 1915.*

[Approved February 20, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Sections
repealed

SECTION 1. Sections 2, 3, 4, 5, and 6 of the above-entitled act are hereby repealed.

CHAP. 24—An Act to amend section 8 of an act entitled “An act to regulate the sale and use of poisons in the State of Nevada, and providing a penalty for the violation thereof,” approved March 24, 1913, as amended by act approved March 12, 1915.

[Approved February 20, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section eight of said act is hereby amended to read as follows:

Section 8. It shall be unlawful for any person, firm, or corporation to sell, furnish or give away, or offer to sell, furnish or give away, or to have in their or his possession any cocaine, opium, yen shee, morphine, codeine, heroin, alpha eucaine, beta eucaine, nova caine, anhalonium (peyote or mescal button), cannabis sativa (Indian hemp or loco weed), or chloral hydrate, or any of the salts, derivatives, or compounds of the foregoing substances, or any preparation or compound containing any of the foregoing substances or their salts, derivatives, or compounds excepting upon the written order or prescription of a physician, dentist, or veterinary surgeon licensed to practice in this state, which order or prescription shall be dated and shall contain the name of the person for whom prescribed, written in by the person writing said prescription, or if ordered by a veterinary surgeon it shall state the kind of animal for which ordered and shall be by the person giving the prescription or order. Such order or prescription shall be permanently retained on file by the person, firm, or corporation who shall compound or dispense the articles ordered or prescribed, and it shall not be again compounded or dispensed if each fluid or avoirdupois ounce contains more than eight grains of opium, or one grain of morphine, or two grains of codeine, or one-half grain of heroin, or one grain of cocaine, or one grain of alpha eucaine, or one grain of nova caine, or sixty grains of chloral hydrate, excepting upon the written order of the prescriber for each and every subsequent compounding or dispensing. No copy or duplicate of such written order or prescription shall be made or delivered to any person, but the original shall be at all times open to inspection by the prescriber and properly authorized officer of the law, and shall be preserved for at least three years from the date of the filing thereof; *provided*, that the above provisions shall not apply to sales at wholesale by jobbers, wholesalers and manufacturers to pharmacies legally licensed and doing business under the laws of the State of Nevada, or physicians, nor to each other, nor to the sale at retail by pharmacies to physicians, dentists, or veterinary surgeons duly licensed to practice in this state; *provided further*, that all such wholesale jobbers, wholesalers, and manufacturers, in this section mentioned, shall before delivery to any person, firm, or corporation of any of the articles

Regulating
traffic in
poisons and
narcotic
drugs

Proviso

Wholesalers
to keep
record

in this section enumerated, make or cause to be made in a book kept for that purpose only, an entry of the sale of any such article, stating the date of such sale and quantity and name of the article and form in which sold, the true name and true address of the purchaser, the name of the person by whom such entry and sale was made, also a statement showing how delivery was had, whether delivered personally or forwarded by mail, express or freight, which book shall be substantially as follows:

Form of
record

Open to
inspection
by officers
and citizens

Date of Sale	Quantity and Name of Article	Name of Purchaser	How Delivered	Name of Person Selling
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And said books shall always be opened for inspection by any peace officer or citizen, or any member of the board of pharmacy, or any inspector by them authorized, and such books shall be preserved for at least five years after the date of the last entry therein. It shall be unlawful for any practitioner of medicine, dentistry, or veterinary surgeon to furnish to, or prescribe for the use of, any habitual user of the same, any cocaine, opium, morphine, codeine, heroin, anhalonium, cannabis sativa, or chloral hydrate, or any salt, derivative, or compounds, and it shall be unlawful for any practitioner of dentistry to prescribe any of the foregoing substances for any person not under his treatment in the regular practice of his profession, or of any veterinary surgeon to prescribe any of the foregoing substances for the use of any human being; *provided, however*, that the provisions of this section shall not be construed to prevent any duly licensed physician from furnishing or prescribing in good faith as their physician by them employed as such, for any habitual user of any narcotic drugs who is under his professional care, such substances as he may deem necessary for their treatment, when such prescriptions are not for substances furnished for the purpose of evading the purposes of this act; *provided*, that the above provisions shall not apply to prescriptions sold or dispensed without a physician's prescription containing less than two grains of opium, or one-fourth grain of morphine, or one-half grain of codeine, or one-sixth grain of nova caine, or one-sixth grain beta eucaine, or ten grains chloral hydrate in one fluid ounce, or if a solid preparation in one avoirdupois ounce, or to the sale of strychnine or other poisons for the purpose of destroying noxious wild animals; *and it is further provided*, that it shall be the duty of every proprietor or manager of a pharmacy or drug store, within the State of Nevada, to keep a true and correct record of all orders forwarded to wholesalers, jobbers or manufacturers or traveling salesmen for the purchase of, in any manner, any cocaine, opium, yen shee, morphine, codeine, heroin, alpha eucaine, beta eucaine, nova caine, anhalonium, cannabis sativa or chloral hydrate, or any salt, derivative or compound thereof, within the meaning of the provisions of

Preparations
of certain
strength not
prohibited

Drug-store
owners to
keep record
of orders on
wholesalers

this act; *provided further*, that a true and correct copy of all orders, forwarded by U. S. mail or otherwise, or given personally any traveling salesman, for narcotic drugs as specified in this section, shall be forwarded by registered mail to the secretary of the Nevada state board of pharmacy, within twenty-four hours after the forwarding of such order direct or through a representative or traveling salesman; *and provided further*, the taking of any order, or making of any contract or agreement, by any salesman or representative, or any employee or person, firm or corporation, for future delivery in this state, for any of the articles or drugs mentioned in this section shall be deemed a sale of said articles or drugs by said traveling representative or employee within the meaning of the provisions of this act; *provided further*, that a true and correct copy of all orders, contracts or agreements taken for narcotic drugs specified in this section by any traveling representative or employee shall likewise be forwarded by such traveling representative or employee by registered mail to the secretary of the Nevada state board of pharmacy within twenty-four hours after the taking of such order, contract or agreement, unless such order, contract or agreement is recorded by entry in a book used for that purpose only by some wholesale jobber, wholesaler or manufacturer permanently located in this state, as provided for in this section.

Copy of order must be sent state board of pharmacy within 24 hours

Order deemed sale

Drummer must send copy of order to state board

Exception as to Nevada wholesaler

CHAP. 25—*An Act to amend an act entitled "An act creating the office of inspector of mines; fixing his duties and powers; providing for appointment of a deputy and fixing compensation of both; requiring certain reports and notices of accidents to be made to said inspector, and defining the duties of the attorney-general and the district attorneys in relation to suits instituted by the inspector of mines," approved March 24, 1909, as amended and approved March 27, 1911.*

[Approved February 20, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section six of said act is hereby amended so as to read as follows:

Section 6. The inspector of mines shall be provided with a properly furnished office at the state house in Carson City, Nevada, in which he shall carefully keep a complete record of all mines examined, showing the date of examination, the condition in which the mines were found, the manner and method of working, the extent to which the laws are obeyed, and what recommendations, if any, were ordered by the inspector. It is hereby made the duty of the owner, lessor,

Amending inspector of mines law

Mine
operators to
send reports
to inspector
of mines

lessee, agent, manager or other person in charge of each and every mine, of whatever kind or character, within the state, to forward to the inspector of mines at his office, not later than the first day of June in each year, and in all cases when commencing operations, a detailed report showing the character of the mine, the number of men then employed and the estimated maximum number of men to be employed therein during the ensuing year, the method of working such mine and the general condition thereof, and such owner, lessor, lessee, agent, manager, or other person in charge of any mine within the state must furnish whatever information relative to such mine as the inspector of mines may from time to time require for his guidance in the proper discharge of his official duties.

SEC. 2. Section 9 of said act is hereby amended so as to read as follows:

Two deputies
authorized

Section 9. The inspector of mines shall have power to appoint two deputy inspectors, who shall each receive a salary of two hundred dollars per month, as full compensation for all services. Said deputies shall be allowed traveling expenses while in the discharge of their duties.

SEC. 3. Section 38 of said act is hereby amended so as to read as follows:

Employees
not to ride on
rim, bail or
cable

Section 38. It shall be unlawful for any person to ride upon the rim, bail or cable of a hoisting bucket, cage or skip, and it is hereby made the duty of every operator to post notice of same in all stations and upon all gallows frames.

CHAP. 26—*An Act to amend section two of an act entitled "An act to regulate fees and compensation for official and other services in the State of Nevada, and to repeal all other acts in relation thereto," approved February 27, 1883.*

[Approved February 20, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 2 of the above-entitled act is hereby amended so as to read as follows:

Court fees
for certain
proceedings

Section 2. Whenever any appeal from the final judgment or any order of a district court shall be taken to the supreme court, or whenever any special proceeding by way of *mandamus*, *certiorari*, prohibition, *quo warranto*, *habeas corpus*, or otherwise, shall be brought in or to the supreme court, the party appealing or bringing such special proceeding shall at or before the filing of the transcript on such appeal or petition in such special proceeding in the supreme court pay the clerk of the supreme court the sum of twenty-five dollars lawful money of the United States, which such payment shall be in full of all fees of the clerk of the supreme court in such action or special proceeding, and shall include the

five-dollar court fee provided for in section 30 of the above-entitled act. No such payment shall be required from, and no fees shall be charged by said clerk in any action brought in or to said court wherein the state or any officer or commission thereof is a party in his or its official capacity, against said officer or commission; *provided*, that in *habeas corpus* proceedings where the same are of a criminal or quasi-criminal nature, no fee shall be charged.

No fee in
habeas corpus
proceeding
of criminal
nature

CHAP. 27—*An Act to amend section 646 of an act entitled "An act to regulate proceedings in civil cases in this state and to repeal all other acts in relation thereto," approved March 17, 1911, being section 5588, Revised Laws of Nevada, 1912.*

[Approved February 20, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 646 of an act entitled "An act to regulate proceedings in civil cases in this state and to repeal all other acts in relation thereto," approved March 17, 1911, being section 5588, Revised Laws of Nevada, 1912, is hereby amended to read as follows:

Section 646. A tenant of real property, for a term less than life, is guilty of an unlawful detainer:

Tenant guilty
of unlawful
detainer,
when

1. Where he continues in possession, in person or by subtenant, of the property or any part thereof, after the expiration of the term for which it is let to him. In all cases where real property is leased for a specified term or period, or by express or implied contract, whether written or parol, the tenancy shall be terminated without notice at the expiration of such specified term or period; or

2. When, having leased real property for an indefinite time, with monthly or other periodic rent reserved, he continues in possession thereof, in person or by subtenant, after the end of any such month or period, in cases where the landlord, fifteen days or more prior to the end of such month or period, shall have served notice requiring him to quit the premises at the expiration of such month or period; or, in cases of tenancy at will where he remains in possession of such premises after the expiration of a notice of not less than five days.

3. When he continues in possession, in person or by subtenant, after default in the payment of any rent and after a notice in writing requiring in the alternative the payment of the rent or the surrender of the detained premises, shall have remained uncomplied with for the period of three days after service thereof. Such notice may be served at any time after the rent becomes due.

4. When he assigns or sublets the leased premises contrary to the covenants of the lease, or commits or permits waste

Tenant guilty
of unlawful
detainer,
when

thereon, or when he sets up or carries on therein or thereon any unlawful business, or when he suffers, permits, or maintains on or about said premises any nuisance, and remains in possession after service upon him of three days' notice to quit.

5. When he continues in possession, in person or by subtenant, after a neglect or failure to perform any condition or covenant of the lease or agreement under which the property is held, other than those hereinbefore mentioned, and after notice, in writing, requiring in the alternative the performance of such condition or covenant, or the surrender of the property, served upon him, and, if there be a subtenant in actual occupation of the premises, also upon such subtenant, shall remain uncomplied with for five days after the service thereof. Within three days after the service, the tenant, or any subtenant in actual occupation of the premises, or any mortgagee of the term, or other person, interested in its continuance, may perform such condition or covenant and thereby save the lease from forfeiture; *provided*, that if the covenants and conditions of the lease, violated by the lessee, cannot afterwards be performed, then no notice as last prescribed herein need be given.

Proviso

Defective

CHAP. 28—[This bill, after being numbered, was found defective and returned to the Governor. Chapter 52 is the same bill in correct form.]

CHAP. 29—*An Act to amend an act to amend section 9 of an act entitled "An act concerning juries," approved March 5, 1873; approved March 5, 1875; approved March 5, 1877; approved March 7, 1881; approved March 12, 1895, the same being section 4932, Revised Laws, 1912, approved March 6, 1915.*

[Approved February 21, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 9 of an act entitled "An act concerning juries," approved March 5, 1873, approved March 5, 1875, approved March 5, 1877, approved March 7, 1881, approved March 12, 1895; the same being section 4932, Revised Laws, 1912, approved March 6, 1915, is hereby amended so as to read as follows:

Certain
persons
exempt from
grand or
trial juror
duty

Section 9. Upon satisfactory proof, made by affidavit or otherwise, the following-named persons, and no other, shall be exempt from service as grand or trial jurors: Any federal or state officer, judge, justice of the peace, county clerk, sheriff, constable, assessor, recorder, attorney at law, physician, nurse, married woman or school teacher, dentist, minister of the gospel, telegraph and telephone operator, locomotive

or stationary engineer, locomotive fireman, conductor, brakeman, mail carrier, engaged in the actual carrying of the United States mail, on a regular mail route, and one-half of all members of each regularly enrolled fire company in the state, said half to be determined by the several fire companies respectively, and all officers of such fire companies, not exceeding ten for each company, and also in all cities and towns wherein there is a paid fire department, after such paid fire department shall have been organized and put in operation, all members of said fire department, and all persons who are now or may hereafter become members of any exempt fireman's association, society, or organization within this state; but such exemption shall not extend to any member of such association, society, or organization, unless prior to becoming a member of the same, such member shall have served as an active fireman in some regularly organized fire department in this state for the period of three years, and also in all cities and towns in this state wherein there are volunteer fire departments, after such volunteer departments shall have been organized and put in operation all members thereof; and also, all members thereof who may hereafter become members of any exempt fireman's association, society, or organization, within this state; but such exemption shall not extend to any member of such association, society, or organization, unless prior to becoming a member of the same such member shall have served as an active fireman in some regularly organized volunteer fire department in this state, for the period of five years; *provided*, that the entire exemption of such exempt firemen, where there is a paid fire department, shall not exceed in one town or city one hundred and fifty; and where there is a volunteer fire department the entire exemption shall not exceed, in any one town or city, fifty; *and provided further*, that any person liable to grand or trial jury duty residing sixty or more miles distant from the county-seat of his county shall be exempted from service on either grand or trial juries for the period of one year upon making affidavit to the fact that he so resides, and filing the same with the clerk of the district court of the district in which his county is situated, and paying to such clerk the sum of twenty-five dollars. Upon the receipt of such affidavit and such sum, the said clerk shall deliver to such person a certificate stating the fact of such receipts, and thereafter, for the period of one year from the date of such payment, the name of such person shall not be placed in the jury box, nor shall such person be selected as a grand or trial juror. It shall be the duty of said clerk, upon the receipt of said sum, to deliver the same to the county treasurer of his county, and the said treasurer shall immediately place the same to the credit of the general fund of said county.

Certain persons exempt from jury duty

Exempt firemen

Proviso: limitation of number exempt

Certain persons liable to jury duty, how may obtain exemption

CHAP. 30—*An Act for the relief of Henderson Banking Company, Inc.*

[Approved February 28, 1917]

Relief of
Henderson
Banking
Co., Inc.

WHEREAS, The legislature of the State of Nevada at its twenty-seventh session passed an act making an appropriation of eight thousand (\$8,000) dollars for the purpose of maintaining the state agricultural experiment dry farm located at Pleasant Valley, Elko County, State of Nevada, for the years 1915 and 1916; and

WHEREAS, It seemed expedient to the governor for the reasons stated in his veto message to veto the said bill, whereby there was no money for the maintenance of the said experiment dry farm; and

WHEREAS, It became and was necessary for the board of control of said dry farm to incur claims against the State of Nevada for settlement with the superintendent of said dry farm for maintaining the same and providing for the care of stock on said dry farm, and other incidental expenses connected therewith; and

WHEREAS, Upon application to the board of examiners of the State of Nevada by resolution in writing, deficiencies in favor of the board of control of said dry farm were declared; and

WHEREAS, Under said deficiencies claims were incurred by said board of control in the sum of two thousand seven hundred and fifty (\$2,750) dollars; and

WHEREAS, Claims for said deficiencies amounting to said sum have been duly presented to, examined and approved by said board of control and by the board of examiners of the State of Nevada; and

WHEREAS, The claims therefor have been duly assigned to Henderson Banking Company, Inc.; and

WHEREAS, The claim of Henderson Banking Company, Inc., for said amount is a just and legal claim against the State of Nevada; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation,
\$2,750

SECTION 1. The sum of two thousand seven hundred and fifty (\$2,750) dollars is hereby appropriated, out of any moneys in the general fund of the state treasury not otherwise appropriated, in payment of the aforesaid claim of Henderson Banking Company, Inc., against the State of Nevada, and the state controller is hereby directed to draw his warrant upon the state treasury for said amount in favor of Henderson Banking Company, Inc., and the state treasurer is hereby directed to pay the same.

CHAP. 31—*An Act to amend section 461 of an act entitled "An act concerning crimes and punishments and repealing certain acts relating thereto," approved March 17, 1911, effective January 1, 1912.*

[Approved March 2, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 461 of an act entitled "An act concerning crimes and punishments and repealing certain acts relating thereto," approved March 17, 1911, effective January 1, 1912, is hereby amended so as to read as follows:

Section 461. Any person who shall obtain food, lodging, or other accommodation at any hotel, inn, boarding, rooming, or eating house with intent to defraud the owner or keeper thereof, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed five hundred dollars or by imprisonment in the county jail for not more than six months. Proof that lodging, food, or other accommodations were obtained by false pretense, or by false or fictitious show or pretense of any baggage or other property, or that the person refused or neglected to pay for such food, lodging, or other accommodations, or that he gave in payment for such food, lodging, or other accommodation negotiable paper on which payment was refused, or that he absconded without paying, or offering to pay, for such food, lodging, or other accommodation, or that he surreptitiously removed or attempted to remove his baggage, shall be *prima facie* evidence of the fraudulent intent mentioned herein; but this act shall not apply where there has been an agreement in writing for delay in payment for a period to exceed ten days. All acts or other parts of acts that conflict herewith are hereby repealed.

Misdemeanor to defraud hotel, inn, or any boarding or lodging house

Proof of guilt

CHAP. 32—*An Act to amend an act entitled "An act to provide revenue for the support of the government of the State of Nevada, and to repeal certain acts relating thereto," approved March 23, 1891, and of acts amendatory thereof.*

[Approved March 2, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 39 of the above-entitled act, being section 3651 of the Revised Laws of Nevada, is hereby amended to read as follows:

Section 39. Immediately after the second Monday in December of each year, the county treasurer and ex officio tax receiver shall advertise the property upon which delinquent taxes are a lien, for sale, in all cases where the delinquent tax, exclusive of poll taxes and penalties, does not

Sale of property for delinquent taxes

Notice, how
published

exceed the sum of three hundred dollars, such sale to be made at the courthouse door of the county, on the third Monday in January next succeeding. Such notice shall be published in a newspaper, if there be one in the county, at least once a week from the date thereof until the time of sale, and if there be no newspaper in the county, such notice shall be posted in at least three public places in each township where delinquent property is situate, such posting to be at least twenty days prior to the day of sale; *provided*, that the cost of such publication shall not exceed two dollars for each or any case of delinquency.

What notice
shall specify

Such notice shall specify and give:

First—The name of the owner, if known.

Second—The amount of taxes due from him, together with the penalty and costs.

Third—The description of the property on which such taxes are a lien and which will be sold for the payment thereof.

Proviso as to
redemption

Fourth—And that ten per cent on such taxes and cost of advertising will be collected in addition to the original tax, or the property sold for all of said sums, specifying the time and place of said sale, and that such sale is subject to redemption within one year after the date of sale by payment of all of said sums with three per cent per month thereon from date of sale until paid; *provided*, that such redemption may be made in accordance with the provisions of the civil practice act of this state in regard to real property sold under execution, except as to percentage of redemption as in this section provided.

Bids at said
sales

The bidding at tax sales under the provisions of this section shall be for the smallest quantity of property that will pay the taxes, penalty, and costs.

SEC. 2. Section 54 of the above-entitled act, being section 3666 of the Revised Laws of Nevada, is hereby amended to read as follows:

Deed to be
conclusive
evidence of
title

Section 54. An act to regulate proceedings in civil cases in the courts of justice in the State of Nevada, approved March 9, 1869, and the several amendments thereto, or amendments which may hereafter be made thereto, or laws passed under the government of the State of Nevada, so far as the same are not inconsistent with the provisions of this act, are hereby made applicable to the proceedings under this act, and any deed derived from the sale of real property under this act shall be conclusive evidence of the title, except as against actual frauds or the payment of the taxes by one not a party to the action or judgment in or upon which such sale was made, and shall entitle the holder thereof to possession of such property, which possession may be obtained by action in a justice's court for the unlawful withholding thereof in the same manner as where tenants hold over after the expiration of their lease; *provided*, that

the officer in selling such property shall sell only the smallest quantity that will pay the judgment and all costs. All sales of real estate sold for taxes shall be subject to redemption at any time within one year after date of sale by the payment of all costs connected with the suit and sale, together with interest at the rate of three per cent per month from date of sale up to time of redemption. When property is sold belonging to minors or persons under legal disability, they shall have one year after such disability is removed to redeem such property, as in other civil cases, by paying the whole amount of the judgment and all subsequent taxes and interests paid by and due to the purchaser at such sale, and fifty per cent in addition thereto. But this provision shall not apply when the executor or administrator of the estate, or the father, or, in case of his death, the mother or guardian of such minor children, or insane persons, has been personally served with process.

Proviso:
smallest
quantity

Redemption
within one
year, how
effected

Exception

SEC. 3. The above amendments shall not apply to redemptions from tax sales heretofore held, but only to property sold after the passage and approval of this act.

Not to apply
to tax sales

CHAP. 33—*An Act to amend section 259 of an act entitled "An act to regulate the settlement of the estates of deceased persons," approved March 23, 1897, being section 6116 of the Revised Laws of Nevada, and all acts amendatory thereof and supplementary thereto.*

[Approved March 2, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 259 of the above-entitled act is hereby amended so as to read as follows:

Section 259. When any person having title to any estate, not otherwise limited by marriage contract, shall die intestate as to such estate, it shall descend and be distributed, subject to the payment of his or her debts, in the following manner:

Distribution
of estate of
intestate

First—If there be a surviving husband or wife, and only one child, or the lawful issue of one child, one-half to the surviving husband or wife, and one-half to such child or issue of such child. If there be a surviving husband or wife and more than one child living, or one child living and the lawful issue of one or more deceased children, one-third to the surviving husband or wife, and the remainder in equal shares to his or her children, and to the lawful issue of any deceased child by right of representation. If there be no child of the intestate living at his or her death, the remainder shall go to all of his or her lineal descendants, and if all of the said descendants are in the same degree of kindred to

the intestate they shall share equally, otherwise they shall take according to the right of representation.

Distribution
of estate of
intestate

Second—If he or she shall leave no issue, the estate shall go, one-half to the surviving husband or wife, one-fourth to the intestate's father, and one-fourth to the intestate's mother, if both are living; if not, one half to either the father or mother then living. If he or she shall leave no issue, nor father, nor mother, the whole community property of the intestate shall go to the surviving husband or wife, and one-half of the separate property of the intestate shall go to the surviving husband or wife, and the other half thereof shall go in equal shares to the brothers and sisters of the intestate, and to the children of any deceased brother or sister by right of representation. If he or she shall leave no issue, or husband, or wife, the estate shall go, one-half to the intestate's father and one-half to the intestate's mother, if both are living, if not, the whole estate shall go to either the father or mother then living. If he or she shall leave no issue, father, mother, brother, or sister, or children of any issue, brother or sister, all of the property, both community and separate, of the intestate shall go to the surviving husband or wife.

Third—If there be no issue, nor husband, nor wife, nor father, nor mother, then in equal shares to the brothers and sisters of the intestate, and to the children of any deceased brother or sister by right of representation.

Fourth—If the intestate shall leave no issue, nor husband, nor wife, nor father, nor mother, and no brother or sister living at his or her death, the estate shall go to the next of kin in equal degree, excepting that when there are two or more collateral kindred in equal degree, but claiming through different ancestors, those who claim through the nearest ancestors shall be preferred to those who claim through ancestors more remote; *provided, however*, if any person shall die leaving several children, or leaving one child and issue of one or more children, and any such surviving child shall die under age and not having been married, all of the estate that came to such deceased child by inheritance from such deceased parent shall descend in equal shares to the other children of the same parent, and to the issue of any such other children who may have died, by right of representation.

Fifth—If at the death of such child, who shall die under age and not having been married, all the other children of this said parent being also dead, and any of them shall have left issue, the estate that came to such child by inheritance from his or her said parent shall descend to all the issue of the other children of the same parent, and if all the said issue are in the same degree of kindred to said child they shall share the said estate equally; otherwise they shall take according to the right of representation.

Sixth—If there be no surviving husband, or wife, or kin-

dred, except a child or children, the estate shall, if there be only one child, all go to that child; and if there be more than one child, the estate shall descend and be distributed to all the intestate's children, share and share alike. Distribution of estate of intestate

Seventh—If there be no surviving husband, or wife, or kindred, except a child or children and the lawful issue of a child or children, the estate shall descend and be distributed to such child or children and lawful issue of such child or children by right of representation, as follows: To such child or children each a child's part, and to the lawful issue of each deceased child, by right of representation, the same part and proportion that its parent would have received in case such parent had been living at the time of the intestate's death; that is, the lawful issue of any deceased child shall receive the part and proportion that its parent would have received had such parent been living at the time of the intestate's death.

Eighth—If there be no surviving husband, or wife, or kindred, except the lawful issue of a child or children, all of the estate shall descend and be distributed to the lawful issue of such child or children by right of representation, and this rule shall apply to the lawful issue of all such children and to their lawful issue *ad infinitum*.

Ninth—If the intestate shall leave no husband, nor wife, nor kindred, the estate shall escheat to the state for the support of the common schools. To school fund, when

CHAP. 34—*An Act giving the clerk of the supreme court authority to appoint a deputy in his office.*

[Approved March 2, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The clerk of the supreme court shall have the power, under his hand and seal, to appoint one deputy in his office, without compensation; the deputy so appointed may, during the absence or inability of the clerk of the supreme court, perform all the duties of a ministerial nature requisite and pertaining to the office. Deputy for clerk of supreme court; no salary

CHAP. 35—An Act to repeal an act entitled "An act to establish an agricultural experiment dry farm in the northeastern part of this state, creating a commission in connection therewith, providing for its expenses and conferring certain powers thereon, imposing certain duties on the governor and attorney-general in relation thereto, providing for the government thereof, and making an appropriation therefor," approved March 2, 1909, and providing for the disposition of the records, property and effects of said agricultural experiment dry farm.

[Approved March 2, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Elko County
dry farm
abolished

SECTION 1. The act entitled "An act to establish an agricultural experiment dry farm in the northeastern part of this state, creating a commission in connection therewith, providing for its expenses and conferring certain powers thereon, imposing certain duties on the governor and attorney-general in relation thereto, providing for the government thereof, and making an appropriation therefor," approved March 2, 1909, is hereby repealed.

Effects to be
transferred to
capitol
com-
missioners

SEC. 2. Upon the taking effect of this act, the board of control of the state agricultural experiment dry farm, located at Pleasant Valley, Elko County, Nevada, shall deliver to the board of capitol commissioners of the State of Nevada all records, property and effects belonging to or theretofore in any manner acquired by said board of control of said state agricultural experiment dry farm.

Disposition
of effects

SEC. 3. It shall be the duty of said board of capitol commissioners to accept and receive said property and effects and to make such disposition of the same as, in the judgment of said board, shall be for the best interest of the state, and any and all personal or movable property shall be handled in the manner outlined in sections 4417 and 4418 of the Revised Laws of Nevada, 1912, and said board is hereby authorized to negotiate the sale of and sell any and all such real property, and to certify its action to the governor and secretary of state, who shall execute proper conveyances accordingly under the seal of the state; *provided, however*, that all of the real estate donated to the said state agricultural dry farm, located in Pleasant Valley, Elko County, Nevada, under the provisions of section 4 of the aforesaid act, shall be, by the said board of capitol commissioners, reconveyed to said Elko County.

Land to be
conveyed to
Elko County

Repeal

SEC. 4. Any and all other acts or parts of acts in conflict with the provisions hereof are hereby repealed.

CHAP. 36—*An Act to provide for the printing of the papers of the Nevada Historical Society.*

[Approved March 2, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The superintendent of state printing shall cause to be printed fifteen hundred copies of each biennial volume of historical papers issued by the Nevada Historical Society, all of which shall be delivered to the secretary of said society to be sold for the benefit of said society, or used by it for distribution to its members or for exchange.

Papers to be printed at state printing office

SEC. 2. All plates for illustrating any volume shall be furnished to the state printer by the Nevada Historical Society, and all binding of the historical papers other than paper shall be paid for by the society.

Plates and binding paid for by society

CHAP. 37—*An Act to quiet title to real estate by defining when the lien of an attachment and mortgage and the notice of the pendency of an action expires.*

[Approved March 2, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The lien upon real property heretofore or hereafter created by the levy of a writ of attachment shall, unless otherwise released and discharged of record, at the expiration of ten years from the time of such levy terminate and be conclusively presumed to have been regularly released and discharged.

Attachment liens on real property expire in 10 years

SEC. 2. The lien heretofore or hereafter created of any mortgage upon any real estate, appearing of record, and not otherwise satisfied and discharged of record, shall at the expiration of ten years after the debt secured by said mortgage according to the terms thereof become wholly due, terminate, and it shall be conclusively presumed that said debt has been regularly satisfied and said lien discharged.

Mortgage liens, same

SEC. 3. Notice of the pendency of any action shall not constitute notice or be of any force or effect after the expiration of ten years from the time of the filing of such notice.

Notice of no effect after 10 years

SEC. 4. All acts and parts of acts in conflict herewith are hereby repealed.

Repeal

CHAP. 38—An Act concerning notaries public who are stockholders, directors, officers, or employees of banks or other corporations.

[Approved March 2, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Notary public connected with bank may take acknowledgment of instruments of said bank, unless direct party

SECTION 1. It shall be lawful for any notary public who is a stockholder, director, officer or employee of a bank or other corporation to take the acknowledgment of any party to any written instrument executed to or by such corporation, or to administer an oath to any other stockholder, director, officer, employee, or agent of such corporation, or to protest for nonacceptance or nonpayment of bills of exchange, drafts, checks, notes and other negotiable instruments which may be owned or held for collection by such corporation; *provided*, it shall be unlawful for any notary public to take the acknowledgment of an instrument by or to a bank or other corporation of which he is a stockholder, director, officer, or employee, where such notary is a party to such instrument, either individually or as a representative of such corporation, or to protest any negotiable instrument owned or held for collection by such corporation, where such notary is individually a party to such instrument.

CHAP. 39—An Act appropriating three hundred dollars for watering and care of the Grand Army cemetery at Carson City.

[Approved March 2, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Care of G. A. R. cemetery

SECTION 1. The sum of three hundred dollars is hereby appropriated, out of any money in the general fund not otherwise appropriated, for the purpose of watering and caring for the Grand Army cemetery at Carson City, Nevada.

\$150 to be paid each year—1917 and 1918

SEC. 2. Annually on the first Mondays in September, 1917 and 1918, the state board of examiners shall audit and allow to the quartermaster of Custer Post No. 5, Department of California and Nevada, at Carson City, Nevada, the sum of one hundred and fifty dollars on the filing with said board of examiners by said post quartermaster, the claim and sworn statement that the amount has been expended as provided in section 1 of this act.

Duties of controller and treasurer

SEC. 3. The state controller is hereby authorized and required to draw his warrants in favor of said post quartermaster for the sum named in this act, and the state treasurer is hereby authorized and required to pay the same.

CHAP. 40—*An Act to amend section 2 of an act entitled "An act to segregate the offices of sheriff and county assessor of Lyon County, State of Nevada, and fixing the salaries of said officers; to take effect on the first Monday in January, A. D. 1913," approved March 18, 1911.*

[Approved March 2, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section two of said act is hereby amended to read as follows:

Section 2. From and after said date the sheriff of said Lyon County shall receive an annual salary of three thousand dollars, payable in twelve equal installments at the end of each calendar month. He shall pay into the treasury of said county each month all moneys collected by him as fees or to which he may be entitled as commissions. Said salary shall be in full compensation for all services and duties performed or to be performed by him as said sheriff. Said sheriff shall have authority to appoint a deputy, who shall act as jailer and janitor, and who shall receive an annual salary of twelve hundred dollars. Said sheriff may, when the public needs of the county require it, and when authorized and directed by the board of county commissioners, appoint one or more extra additional deputy sheriffs for said Lyon County, whose appointments shall be for such time as said board of county commissioners shall deem necessary, and whose compensation shall be fixed by said board of county commissioners, but shall not be in excess of one hundred dollars per month for each extra deputy so appointed.

Salary of
sheriff of
Lyon County
fixed

Sheriff may
appoint
deputies,
when

SEC. 3. From and after the first Monday in January, A. D. 1913, the county assessor of Lyon County shall receive an annual salary of eighteen hundred dollars, payable in twelve equal installments at the end of each calendar month.

Salary of
assessor of
Lyon County

SEC. 4. This act shall take effect immediately after its passage and approval, and all acts and parts of acts in conflict herewith are hereby repealed.

In effect;
repeal

CHAP. 41—*An Act to amend section 5, as the same has heretofore been amended, of an act entitled "An act to secure liens to mechanics and others, and to repeal all other acts in relation thereto," approved March 2, 1875, being section 2217, Revised Laws of Nevada, 1912.*

[Approved March 8, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 5, as the same has heretofore been amended, of an act entitled "An act to secure liens to

mechanics and others and to repeal all other acts in relation thereto," approved March 2, 1875, is hereby amended as follows:

Relating to
liens of
mechanics
and others

Section 5. Every person claiming the benefit of this chapter shall, not earlier than ten days after the completion of his contract, or the delivery of material by him, or the performance of his labor, as the case may be, and not later than fifty days after such completion of his contract or the delivery of material or performance of labor by him, file for record with the county recorder of the county where the property or some part thereof is situated, a claim containing a statement of his demand after deducting all just credits and offsets, with the name of the owner or reputed owner if known, also the name of the person by whom he was employed or to whom he furnished the material, with a statement of the terms, time given, and conditions of his contract, and also a description of the property to be charged with the lien sufficient for identification, which claim must be verified by the oath of himself or some other person. Upon the trial of any action or suit to foreclose such lien no variance between the lien and the proof shall defeat the lien or be deemed material unless the same shall result from fraud or be made intentionally, or shall have misled the adverse party to his prejudice, but in all cases of immaterial variance the claim of lien may be amended, by amendment duly recorded, to conform to the proof. No error or mistake in the name of the owner or reputed owner contained in any claim of lien shall be held to defeat the lien, unless a correction of the lien in this particular shall prejudice the rights of an innocent, *bona fide* purchaser or encumbrancer for value. But upon the trial, if it shall appear that an error or mistake has been made in the name of the owner or reputed owner, or that the wrong person has been named as owner or reputed owner, in any such claim of lien, the court shall order an amended claim of lien to be recorded with the recorder where the original claim was recorded, and shall issue to the person who is so made to appear to be the original or reputed owner, a notice directing such person or persons to be and appear, within the same time as is provided by law for the appearance in other actions after the service of summons, and said notice shall be served in all respects as a summons is required to be served, before said court and to show cause why he should not be substituted in said claim of lien and in said suit in lieu of the person so made defendant and alleged to be owner or reputed owner by mistake, and to further show why he should not be bound by the judgment or decree of the court. And such proceedings shall be had therein as though the party so cited to appear had been an original party defendant in the action

Error: in
names not to
defeat liens

or suit, and originally named in the claim of lien as owner or reputed owner, and the rights of all parties shall thereupon be fully adjudicated. Adjudication of rights

CHAP. 42—*An Act authorizing and empowering the city council of the city of Reno, in the county of Washoe, State of Nevada, to dispose of certain parcels of real estate.*

[Approved March 5, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The city council of the city of Reno is hereby authorized and empowered to act as follows: To grant, bargain, and sell to the Riverside Mill Company, a corporation organized and doing business under and by virtue of the laws of the State of Nevada, with its principal place of business in the city of Reno, the following-described property, in the city of Reno, county of Washoe, State of Nevada: Starting at the southeast corner of block "W," Reno townsite; thence westerly along the south line of said block "W" one hundred and ten one-hundredths (100.10) feet; thence northerly parallel to Center street seventy-nine and thirty-three one-hundredths (79.33) feet to the point of beginning; thence westerly at right angles twenty-nine and twenty-five one-hundredths (29.25) feet; thence northeasterly along the south line of the Riverside Mill Company's ditch, commonly known as the "Riverside Mill Ditch," thirty-three (33) feet; thence southerly parallel to Center street sixteen (16) feet to the point of beginning; said property to be granted, bargained, and sold as aforesaid for and in consideration of the Riverside Mill Company's granting, bargaining, and selling to the city of Reno its surface rights over and above the Riverside mill ditch, in the city of Reno, county of Washoe, owned by it, where said ditch crosses, or may cross, the east one hundred feet of lot twelve and the south half of lot eleven in block "W," Reno townsite; further granting, bargaining, and selling the right, privilege, and power to said city of Reno to keep the surface of said ditch in the east one hundred feet of lot twelve and the south half of lot eleven as aforesaid covered and bridged over on a level with the surface of the contiguous property of said city of Reno.

Reno city council to transfer certain property to Riverside Mill Co.

Conditions of transfer

SEC. 2. All acts and parts of acts in conflict herewith are hereby repealed. Repeal

CHAP. 43—*An Act to amend section number 10 of an act entitled "An act providing for a state board of capitol commissioners, defining their duties and powers, and repealing all acts in conflict therewith," approved March 20, 1911.*

[Approved March 6, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 10 of the above-entitled act is hereby amended to read as follows:

Section 10. Said board is authorized to employ an engineer at a salary of one hundred and twenty-five dollars per month, and two janitors, one gardener, and two watchmen at a salary of one hundred and ten dollars per month each; *provided*, that the watchman whose duty it shall be to guard the vault of the state treasury shall be designated by the state treasurer. Said board is also empowered to employ such additional assistance as necessity may require. Said employees shall perform such duties as said board may direct, and may be transferred from one branch of employment to another, and they shall take care of all the buildings, grounds and offices under the control of said board.

Capitol commissioners to employ engineer, two janitors, one gardener, two watchmen

May be transferred

CHAP. 44—*An Act to amend section five of an act entitled "An act concerning Lincoln County officers and fixing their salaries," approved March 25, 1915.*

[Approved March 7, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. That section five of said act entitled "An act concerning Lincoln County officers, and fixing their salaries," is hereby amended to read as follows:

Section 5. The sheriff of Lincoln County, Nevada, is hereby authorized and empowered to appoint two (2) deputies, one of said deputies to be stationed at Pioche, Lincoln County, Nevada, and the other to be stationed at Caliente, Lincoln County, Nevada, and each to receive a salary of not to exceed one hundred and twenty-five dollars per month. The said sheriff may also appoint such other deputies as may be necessary, upon the approval of the board of county commissioners of Lincoln County, Nevada, but deputies appointed by the said sheriff, with the approval of the county commissioners, other than the two above-mentioned deputies stationed at said town of Pioche and said town of Caliente, shall each receive a salary not to exceed the sum of one hundred dollars per month; that the deputy stationed at Pioche shall also act as jailer, but shall receive no further compensation for services rendered as jailer other than that

Sheriff of Lincoln County to appoint deputy sheriffs

allowed for his services as deputy sheriff. Each of the salaries hereinbefore authorized shall be allowed and paid in the same manner and from the same fund as the salaries of other officers are paid.

SEC. 2. This act shall be in full force and effect on and after the fifth day of March, 1917, and all acts and parts of acts in conflict herewith shall then be repealed. In effect
March 5, 1917

CHAP. 45—*An Act regulating the breeding of cattle on open ranges within the State of Nevada; defining a standard of breeding for bulls running upon the open range; fixing responsibility and providing a penalty for the violation of any provision of this act.*

[Approved March 7, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. It is hereby made unlawful to turn loose, range, or run at large, any cattle where the same may have access to a domain or range common to other cattle, without keeping therewith, between the first day of June and the first day of November of each year, one bull for every thirty head or fraction thereof of female breeding cattle so ranged; *provided, however,* that any person ranging or running at large no greater number than fifteen head of female breeding cattle may jointly provide and arrange with another for an interest in a bull running at large on the open range where such female breeding cattle may range or run. For the purposes of this act, any heifer of the age of twelve months or over shall be considered a breeding cow. Range cattle
to have one
bull for every
30 cows

SEC. 2. It is hereby made unlawful to turn loose or allow to run at large upon a domain or range common to other cattle, any bull other than such as may be at least three-quarter pure blood of some recognized beef breed of cattle. A three-quarter pure blood bull, as contemplated by this act, must be a bull having a registration certificate from the breed association of its respective breed, or one whose breeder has issued a certificate or made an affidavit under oath stating therein that the bull is at least three-quarter pure blood and stating the breed to which it belongs. Such certificate or affidavit shall be filed with the county recorder of the county in which the owner of such bull or bulls resides; or if the owner thereof be a nonresident of this state, then such certificate or affidavit shall be recorded in the county or counties in which such bull or bulls are to be ranged; and the county recorder shall provide a book for the recordation of such certificate or affidavit. Such certificate or affidavit shall be filed with the county clerk, as herein provided, on or before the day on which any such bull or bulls are permitted to run at large. Bulls must be
at least three-
quarters
pure blood

Certificate of
pedigree to
be filed

Penalties for
violation

SEC. 3. The violation of any of the provisions of this act is hereby declared to be a misdemeanor; and any person or persons, firm, copartnership, or corporation violating any of the provisions of this act shall, upon conviction thereof, be punished by a fine of not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars, or by imprisonment in the county jail not to exceed six months, or by both such fine and imprisonment. Any manager, superintendent, foreman, or herdsman, or any other person having charge or supervision over the cattle or live stock of any corporation doing business or ranging cattle within this state, who knowingly ranges or runs or permits to be ranged or run at large upon any range of this state the cattle of such corporation without first having complied with the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine or imprisonment, or both, as herein provided.

In effect
Jan. 1, 1918

SEC. 4. This act shall take effect and become operative January 1, 1918.

Repeal

SEC. 5. All acts and parts of acts in conflict herewith are hereby repealed.

CHAP. 46—*An Act to regulate the fees of the county clerk of Clark County, State of Nevada, and to repeal all other acts and parts of acts in conflict therewith.*

[Approved March 7, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Fees of clerk
of Clark
County

SECTION 1. The county clerk of the county of Clark, State of Nevada, as county clerk and ex officio clerk of the district court of the Tenth judicial district of the State of Nevada, in and for the county of Clark, shall, from and after the passage of this act, charge and collect the following fees:

On commencement of any action or proceeding in the district court or on an appeal thereto or on the transfer of any case from a justice's court, except probate proceedings, to be paid by the party commencing such action or proceeding or taking such appeal, or on the transfer of a case from a justice's court, by the plaintiff therein, seven dollars; said fee to be in addition to the court fee now provided by law.

On the filing of a petition for letters testamentary, or of administration or guardianship, eight dollars and fifty cents, to be paid by the petitioner; said fee to be in addition to the court fee now provided by law.

On filing a petition to contest any will or codicil, five dollars, to be paid by the petitioner.

On the filing of objection or cross-petition to the appointment of an executor, administrator, or guardian, or an objection to the settlement of account or any other proceedings in

an estate or guardianship matter, five dollars, to be paid by the moving or objecting party. Fees of clerk
of Clark
County

On the commencement of proceedings in an adoption case, one dollar.

On the appearance of any defendant or any number of defendants answering jointly, two dollars.

On the appearance of every additional defendant, appearing separately, or any number of additional defendants, appearing jointly, one dollar and fifty cents.

On the filing of a complaint in intervention, one dollar and fifty cents.

The foregoing fees shall be in full for all services rendered by such clerk in the case, to and including the making up of the judgment roll.

The clerk shall also be entitled to charge and collect the following fees and compensations not above provided for:

For filing any notice of motion to move for a new trial of any civil action or proceedings, to be paid by the party filing same, two dollars and fifty cents, which shall be in full for all services to be rendered in connection with said motion.

For issuing an execution or order of sale, in any action, one dollar.

For filing a notice of appeal, and appeal bond, each, fifty cents.

For filing remittitur from the supreme court, one dollar, and for recording judgment entered thereon, twenty cents per folio.

For issuing transcript of judgment and certifying thereto, one dollar.

For filing and docketing abstract of judgment of justice's court and issuing execution thereon, one dollar and fifty cents.

For filing any paper in any case after judgment, not otherwise provided for, fifteen cents.

For making satisfaction of or credit on judgment, twenty-five cents.

For recording any instrument or paper required to be recorded in his office, other than an instrument or paper in an action or proceeding in court as otherwise specified in this act, twenty cents per folio.

For certifying any copy of any record, proceedings, or paper on file in the office of the clerk, fifty cents, and when such copy is made by him, per folio, fifteen cents.

For filing each claim in probate or insolvency proceedings, fifteen cents.

For filing all papers to be kept by him, not otherwise provided for, other than papers filed in actions and proceedings in court and official bonds and certificates of appointment, each, fifteen cents; and for indexing, twenty-five cents.

For filing, indexing and recording articles of incorporation, five dollars.

Fees of clerk
of Clark
County

For filing, indexing and registering certificates of copartnership, one dollar.

For issuing marriage licenses, two dollars.

For administering each oath, without certificate, except in a pending action or proceeding, twenty-five cents.

For issuing any certificate under seal, not otherwise provided for, fifty cents.

For taking any affidavit, except in criminal cases, twenty-five cents.

For searching records or files in his office, for each year, fifty cents, but not to charge suitors or attorneys.

For taking acknowledgments of any deed or other instrument, including the certificate, fifty cents.

No fee shall be charged by the clerk for any services rendered in any criminal case or in *habeas corpus* proceedings.

In all proceedings begun, or for acts performed, previous to this act becoming a law, such fees and charges as were provided by law at the time such action or proceeding was begun or act performed shall be charged and collected.

All fees paid
in county
treasury

SEC. 2. All fees collected by said county clerk under the provisions of this act shall be by him turned into the general fund of said Clark County each month.

Repeal

SEC. 3. All acts and parts of acts in conflict with this act are hereby repealed.

CHAP. 47—*An Act fixing the fees and compensation of witnesses in criminal cases in and for the county of Lyon, State of Nevada, and providing payment therefor.*

[Approved March 7, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Fees and
mileage for
witnesses in
criminal
cases in
Lyon County

SECTION 1. All witnesses subpoenaed in criminal cases to appear before the district court of Lyon County, State of Nevada, shall receive as fees three dollars per diem from the date of their appearance at court (as per subpoena) until excused. The clerk of said court shall keep a pay-roll, enrolling therein all names of witnesses, the number of days in attendance, and the actual number of miles traveled by the most practical route in coming to and returning from said court, for which such witnesses shall receive ten cents for each mile so traveled. The clerk of said court shall forthwith give a statement of such amount to the county auditor of said Lyon County, who shall draw warrants upon the county treasurer for the payment of such witnesses; *provided, however*, that not more than two witnesses shall be subpoenaed to prove the same fact, at the expense of the county, and that the judge before whom the hearing or trial is had shall certify at the conclusion of the testimony of said witnesses that the testimony of said witnesses was material and relevant in the matter tried.

Proviso

CHAP. 48—*An Act fixing the compensation of the justice of the peace of Las Vegas township, Clark County, Nevada.*

[Approved March 7, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the first day of March, 1917, the duly elected, qualified and acting justice of the peace of Las Vegas township, Clark County, Nevada, shall receive the sum of one hundred and twenty-five dollars per month in lieu of all fees as are now allowed said officer by law. Salary of justice of the peace of Las Vegas

SEC. 2. All fees received by the said justice of the peace in the performance of his official duties shall be paid into the county treasury of Clark County each month by said justice of the peace. Fees go to county treasury

SEC. 3. The county commissioners of Clark County are hereby directed and required to allow the sum of one hundred and twenty-five dollars per month to said justice of the peace, as a just claim against the county. The county auditor is hereby required to draw his warrant for the said sum in favor of said justice of the peace, and the county treasurer is hereby directed to pay the same. Salary to be allowed monthly

SEC. 4. All acts or parts of acts in conflict with the provisions of this act are hereby repealed. Repeal

CHAP. 49. *An Act to protect the people of the State of Nevada from the pollution of its public streams, making an appropriation therefor, and controlling the administration thereof.*

[Approved March 8, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. It shall be the duty of the attorney-general, with the consent of the governor, to commence such action or actions, suit or suits, against any and all persons, municipalities, towns, cities, corporations, or associations, as may be necessary to prevent or restrain the pollution of any public stream or streams of the State of Nevada, or any public stream or streams running in, into or through the State of Nevada, whether the source of pollution be within or without the State of Nevada. To prevent pollution of public waters

SEC. 2. The attorney-general is authorized, empowered, and directed, with the consent of the governor, to take such proceedings and commence and maintain such action or actions, suit or suits, as may be necessary or proper to prevent or restrain the pollution of any public stream or streams in the State of Nevada, or any public stream or streams running into, in or through the State of Nevada and to maintain Attorney-general authorized to institute suits

and prosecute such action or actions, suit or suits, in the name of the State of Nevada, whether the source of pollution be within or without the State of Nevada.

Appropriation, \$10,000

SEC. 3. For the purpose of carrying out the provisions of this act there is hereby appropriated, from the general fund of the State of Nevada, the sum of ten thousand (\$10,000) dollars; *provided*, that not more than \$1,000 of this amount be expended for attorney fees.

Legislative hold-over committee to be appointed

SEC. 4. Within ten (10) days after the passage and approval of this act, the president of the senate shall appoint one member of the senate and the speaker of the assembly shall appoint one member of the assembly, who shall constitute a committee of the legislature for the purposes hereinafter mentioned; they shall continue to exercise the duties of such committee until ten days after the convening of the next regular session of the legislature, within which ten days their successors shall be appointed in the same manner and the committee shall be perpetuated indefinitely in the same manner. Any vacancy in the committee which may occur from any cause, including failure of the proper officer to appoint, shall be filled by the governor.

Committee to act as advisory board

SEC. 5. The committee hereby created, together with the governor and attorney-general, shall constitute an advisory board for the purpose of carrying out this act, which board shall have power to select, employ, and fix the compensation of such legal assistants, experts, chemists, stenographers, and other assistants to the attorney-general and to authorize such other expenses as they may deem necessary and proper to carry out the provisions of this act.

Majority may act

SEC. 6. A majority of the advisory board may act upon all matters. In case of a tie vote the governor shall cast an additional deciding vote.

Examiners to approve all expenditures

SEC. 7. All expenditures from the appropriation hereby made shall be subject to the approval of the board of examiners.

CHAP. 50—*An Act to amend section 3 of an act entitled "An act relating to the state university and matters properly connected therewith," approved February 7, 1887.*

[Approved March 8, 1917].

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 3 of the above-entitled act is hereby amended to read as follows:

Powers and duties of regents of university

Section 3. The powers and duties of the board of regents are as follows:

First—To prescribe rules for their own government, and for the government of the university.

Second—To prescribe rules for the reports of officers and teachers of the university.

Third—To prescribe the course of study, the time and standard of graduation and the commencement and duration of the terms, and the length of the vacations of the university. Powers and duties of regents of university

Fourth—To prescribe the text-books, and provide apparatus and furniture for the use of pupils.

Fifth—To appoint a president of the University of Nevada, who shall have a degree from a college or university recognized as equal in rank to those having membership in the Association of American Universities, who has had at least five years of practical experience as an educator in a college or university of good standing, three years of which must have been during the five years immediately preceding the date of his appointment, who is familiar with the modern methods of imparting instruction in the United States, and who shall be endorsed as to moral character and qualifications as an educator by the president and faculty of three institutions of learning authorized by law to confer degrees. The word "faculty," as used in this section, shall be construed to mean any academic body of any college or university which shall include all department heads. A resolution adopted by any such faculty and signed by the president shall constitute a valid endorsement in the meaning of this act.

Sixth—To prescribe the duties of the president, and fix his salary, and the salaries of all other teachers in the university.

Seventh—To require the president, under their direction, to establish and maintain training or model schools, and require the pupils of the university to teach and instruct classes therein.

Eighth—To control the expenditures of all moneys appropriated for the support and maintenance of the university, and all moneys received from any source whatsoever.

Ninth—To keep open to public inspection an account of receipts and expenditures.

Tenth—To annually report to the governor a statement of all their transactions, and of all other matters pertaining to the university.

Eleventh—To transmit with such report a copy of the president's annual report.

Twelfth—To revoke any diploma by them granted, on receiving satisfactory evidence that the holder thereof is addicted to drunkenness, is guilty of gross immorality, or is reputably dishonest in his or her dealings; *provided*, that such person shall have at least thirty days' previous notice of such contemplated action, and shall, if he or she asks it, be heard in his or her own defense.

CHAP. 51—*An Act creating the state rabies commission, prescribing its membership and duties, and making an appropriation for the control and eradication of rabies and noxious animals within the State of Nevada, in cooperation with the biological survey of the U. S. Department of Agriculture.*

[Approved March 8, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

State rabies
commission
created

How
composed

SECTION 1. That for the purpose of cooperating with the biological survey of the U. S. Department of Agriculture, for the control and eradication of rabies and noxious animals within the State of Nevada, there is hereby created the state rabies commission, consisting of the governor and four members to be appointed by the governor, one of whom shall be the director of the state veterinary control service, who shall act as secretary of the commission without extra compensation as such, and one each to be appointed from the state board of sheep commissioners, the state board of stock commissioners, and the state board of health. The governor shall be ex officio chairman of said commission. The members of said commission shall serve without salary, but shall be allowed their traveling and living expenses while attending meetings, or otherwise directly engaged in such control or extermination work.

Appropriation,
\$35,000
annually for
1917 and 1918

SEC. 2. For the cooperative support of the work of control and eradication of rabies and noxious animals as aforesaid there is hereby appropriated thirty-five thousand (\$35,000) dollars annually for each of the fiscal years 1917 and 1918, from any moneys in the state treasury not otherwise appropriated. For said fiscal years 1917 and 1918 an ad valorem tax of two cents on each one hundred dollars of taxable property in the State of Nevada is hereby levied and directed to be collected upon all such taxable property in the state, including net proceeds of mines, the proceeds of which shall be placed in a special fund in the state treasury for the purpose of meeting the appropriation heretofore provided for in this section. All claims against said fund and appropriation shall be approved by the chairman and secretary of said commission and by said board of examiners.

Duties of
commission

SEC. 3. It shall be the duty of said commission to enter into a definite agreement with said biological survey, prescribing the manner, terms, and conditions of such cooperation, and the amounts which the state and federal government will respectively contribute thereto, for each of said fiscal years, and said commission in its work under the provisions of this act shall be governed by said agreement.

CHAP. 52—*An Act to amend an act entitled "An act in relation to public highways," approved March 9, 1866.*

[Approved March 9, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 5 of the above-entitled act is hereby amended to read as follows:

Section 5. If twenty-four freeholders of any county shall petition the board of county commissioners of such county for the location, opening to the public use, reestablishment, change or vacation of any road or highway to connect with any highway heretofore established, or any street or alley in any unincorporated town in such county, setting forth in such petition the beginning, course and termination of such road, highway, street or alley proposed to be located, open to public use, reestablished, changed or vacated, together with the names of the owners or occupants of the land through which the same may pass, the auditor of such county shall lay such petition before the board of county commissioners at their next session thereafter, and thereupon such board of county commissioners may, within twenty days thereafter, proceed to locate, open to public use, reestablish, change or vacate such road, highway, street or alley; and the width of all public highways laid out or open under the provisions of this act shall be regulated and established by such boards of county commissioners; *provided*, no such highways shall exceed in width sixty feet. Before opening any new road, street or alley through any property, it shall be condemned to public use as follows: The board of county commissioners shall appoint two disinterested persons to view, lay out and locate such new road, street or alley, and such two persons in conjunction with two others, chosen by any owner or occupant, or by the several owners or occupants of the property to be traversed by such road, street or alley, shall ascertain the damage done to any property so traversed, after deducting any advantage arising from such road, street or alley, to the owner or occupant of such property. If such four persons cannot agree as to such damages, then they shall choose a fifth, and the decision of a majority of them shall govern, and be reported to the board of county commissioners. If the owner or owners or occupants of any property so condemned shall not acquiesce in the amount of damages so reported, an examination may be had before the board and witnesses be examined for the state and such owner or owners or occupants, and the decision of the board shall be final, unless such owner or owners or occupants appeal from the decision of the board within thirty days after such decision to the district court, which he or they may do in the same manner that appeals are taken from justices' courts to the district court. Upon finally determining

Thoroughfares may be opened upon petition of 24 freeholders

Not to exceed 60 feet in width

Method of procedure

Duties of
county com-
missioners

Proviso

such damages, the board shall provide for the payment of such damages, either by the person interested in such road, street or alley, or pay the same out of the county treasury as other claims are paid, and after such payment is made the board shall then cause such road, street or alley to be opened. The board of county commissioners in their respective counties in the state are hereby authorized and empowered to accept the grant of rights of way for the construction of highways over public lands of the United States not reserved for public uses, contained in section 2477 of the Revised Statutes of the United States, and such acceptance shall be by resolution of such county commissioners spread upon the records of their proceedings; *provided*, that nothing herein contained shall be construed to invalidate the acceptance of such grant by general public use and enjoyment, heretofore or hereafter had. Such board of county commissioners are further authorized and empowered to locate and determine the width of such rights of way, provided the same shall not exceed in width sixty feet, and to locate, open for public use and establish thereon public roads or highways.

CHAP. 53—*An Act to provide for the appointment of a state auditor, fix his compensation, prescribe his duties, to inspect and audit public accounts and to establish a uniform system of public accounting, cost-keeping and reporting, and matters relating thereto, and to repeal certain acts and parts of acts in conflict herewith.*

[Approved March 10, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Creating
office of state
auditor

SECTION 1. Within thirty days after the approval of this act the governor shall appoint a state auditor, who shall hold office for the term of four years from and after his appointment or until his successor shall have been appointed. The governor may at any time, for cause, remove said state auditor. His successor shall, in all cases, have the qualifications hereinafter provided.

Qualifica-
tions of
appointee

SEC. 2. The state auditor shall be a person duly qualified for the position. He shall be thoroughly versed in the science of bookkeeping and accounts, single and double entry, combination loose-leaf, and other systems in common use, auditing, and commercial law.

Duties of
state auditor

SEC. 3. It shall be the duty of the state auditor, at least once in each calendar year, to make a thorough audit of the books and accounts of all state offices, departments, and institutions required by law to keep books or accounts showing the receipt or payment of money by, for, or on account of the state, and report the result of such audit to the governor forthwith. It shall further be the duty of the state

auditor, at least once in each calendar year, to make a thorough audit of the books and accounts of all county officials required by law to have and keep their offices at the county-seats of the several counties in this state; copies of such reports relating to the accounts of the officers of the different counties shall be furnished by the state auditor to the governor, the state controller, and the clerk of the board of county commissioners of the several counties. The state auditor shall formulate and prescribe a uniform system of accounting, cost-keeping, and reporting for every state and county office, department, or institution which shall exhibit the true financial condition, correct accounts, and statements of funds collected, received, and expended for account of the public, for any purpose whatever and by all public officers, employees, or other persons; such accounts or statements to show the receipt, use, and disposition of all public property, and the income, if any, derived therefrom, and of all sources of public income and the amounts due and received from each source, all receipts, vouchers, and other documents kept, or that may be required to be kept, necessary to prove the validity of each transaction, and all statements and reports made or required to be made for the internal administration of the office to which they pertain, and all statements and reports regarding any and all details of the financial administration of public affairs.

Uniform
system for
state and
county
accounts

SEC. 4. The system provided for in the preceding section shall be submitted by the state auditor in all of its detail to the state board of revenue and the state board of accountancy in joint session, and when approved by said boards and by the governor said system shall be installed under the supervision of said state auditor in any or all state and county offices, institutions and departments; *provided, however*, that the state auditor in making such installation shall give due consideration to the possibilities of confusion in business detail and may defer temporarily such installation in whole or in part if in his judgment the best interests of the public will be thereby served.

Certain
boards and
governor to
approve
system

SEC. 5. All public officials, or other persons required to keep accounts or records of public financial affairs, shall, immediately upon being served with a copy of the order by the governor for the installation of any determined system of accounts or reports, proceed with the installation of such system under the supervision and direction of the state auditor. All necessary expense attached to such installation for books, records, and supplies, if for state offices, shall be paid from the general appropriation for capitol current expenses, upon approval of the state auditor and by authority of the state board of examiners, and the state controller is hereby directed to draw his warrant therefor and the state treasurer to pay the same; if for other state departments or

All officials
to cooperate
with state
auditor

Expenses,
how paid

institutions, it shall be paid out of the regular appropriations for such departments or institutions upon the approval of the state auditor and by authority of the state board of examiners, and the state controller is hereby directed to draw his warrants therefor and the state treasurer to pay the same; if for county offices, departments or institutions, it shall be paid out of the county general fund upon order of the board of county commissioners.

Definition of
terms

SEC. 6. For the purpose of this act the term "public accounts" shall mean any books, records or accounts, recording a financial transaction in which any claim, money, or property of the state, county, township, or school district is involved. The term "public official" or "officer" shall mean any state, county, township, or school district officer, employee, or other person having the care or custody of such records, money or property.

Duties of
state auditor

SEC. 7. The state auditor shall be and he hereby is authorized to examine all public accounts, administer oaths, and to examine under oath, when he shall deem it necessary, any public official in relation to or concerning his books and accounts, and any such officer refusing to allow the state auditor full access to and inspection of his books, or of the accounts therein contained, or any records or data pertaining to the conduct of his office, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than \$100 nor more than \$300, or be imprisoned in the county jail for a period of not to exceed six months, or be punished by both such fine and imprisonment.

Officer
refusing
guilty of mis-
demeanor

State auditor
to keep full
record

SEC. 8. The state auditor shall be required to keep a record of his investigations, together with a general summary of the detail and data of the affairs of the respective counties and state offices, departments and institutions, and shall be provided with office room in the state capitol building. The room herein specified shall be open to the public during the hours other state offices are open, and in the absence of the state auditor from the state capitol, while in performance of his official duty, said record shall be left with the state controller for such public inspection.

Salary
\$3,000 a year

SEC. 9. The salary of the state auditor is hereby fixed at three thousand dollars per annum, payable in equal monthly installments, the same as other state officers are paid.

Appropriation
for
expenses,
\$2,500

SEC. 10. The sum of twenty-five hundred dollars is hereby annually appropriated, out of any moneys in the state treasury not otherwise appropriated, to carry out the purpose of this act, and which shall be available for all traveling and other necessary expenses. All such expenditures shall be certified to by the state auditor, and when approved by the state board of examiners shall be paid by the treasurer on warrants drawn by the controller.

SEC. 11. The state auditor shall make and publish annual

reports for each calendar year, showing his activities during the year. To make report

SEC. 12. The state auditor shall, before entering upon the discharge of his duties, take and subscribe the usual oath of office and execute to the State of Nevada a bond in the sum of ten thousand dollars for the faithful performance of his duties, bond to be approved by the governor and filed with the secretary of state. Auditor must take official oath and give bond

SEC. 13. All forms, blanks, envelopes, letterheads, circulars, and reports required to be printed by said state auditor shall be printed at the state printing office under the general provisions of an act entitled "An act to designate and authorize the work to be done in the state printing office," approved March 5, 1909. Printing to be done at state printing office

SEC. 14. An act entitled "An act to provide for the appointment of a state auditor, fix his compensation and prescribe his duties," approved March 26, 1907; an act entitled "An act providing for the examination and auditing of the books and accounts of certain officers, and providing penalties for its violation," approved March 20, 1911; section 4 of an act entitled "An act to create a state board of accountancy, and prescribe its powers and duties; to provide for the examination of and issuance of certificates to applicants, with the designation of certified public accountants, to provide for examination of state, county, and city accounts, and to provide the grade of penalty for violations of the provisions hereof," approved March 24, 1913, and reading as follows: "When required by law or otherwise that examination be made of the books, records, or accounts of any officer, department, or public institution of the State of Nevada, or of any city or county therein, such examination shall be made by a certified public accountant, duly qualified as such, under the provisions of this act," and all other acts and parts of acts in conflict with the provisions of this act are hereby repealed. Repeal of certain acts and portions of acts

SEC. 15. This act shall be in full force and effect from and after its passage and approval. In effect immediately

CHAP. 54—*An Act to amend an act entitled "An act creating the office of commissary of the Nevada state police, prescribing his duties, fixing his compensation, and other matters relating thereto," approved February 8, 1908, as amended Stats. 1909, 217.*

[Approved March 10, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. An act entitled "An act creating the office of commissary of the Nevada state police, prescribing his duties, fixing his compensation, and other matters relating thereto," Amending act creating commissary of state police

approved February 8, 1908, is hereby amended to read as follows:

Section 1. The office of commissary of the Nevada state police is hereby created.

SEC. 2. The superintendent of Nevada state police is hereby made ex officio commissary of the Nevada state police.

Superin-
tendent
made
commissary

Duties

SEC. 3. It shall be the duty of the commissary of the Nevada state police to purchase all arms, ammunition, equipment, provisions, uniforms, badges, and all other necessary supplies required to be furnished to said Nevada state police, and no supplies of any kind shall be furnished to, or purchased for the use of, the Nevada state police, except upon requisition therefor issued by the commissary, and approved by the governor. *As amended Stats. 1909, 217.*

Bills, how
paid

SEC. 4. All bills for supplies purchased in accordance with section 3 hereof shall be presented to the state board of examiners, to be audited, examined, and allowed, and shall be paid out of any funds now or hereafter appropriated for the maintenance of the said Nevada state police.

No salary
after Jan. 1,
1919

SEC. 5. The commissary of said Nevada state police shall receive no salary for his services. He shall, however, be allowed his necessary expenses when traveling upon business connected with the duties of his office; when the same shall have been audited, examined, and allowed by the state board of examiners, said expenses shall be paid out of any fund which may now or hereafter be appropriated for the maintenance of the said Nevada state police.

In effect
Jan. 1, 1919

SEC. 6. This act shall take effect on the first of January, 1919.

CHAP. 55—*An Act to amend an act entitled "An act to regulate the salary and compensation of the justices of the peace and constables of Elko, Star Valley, Montello townships, in Elko County, State of Nevada," approved February 28, 1913.*

[Approved March 10, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 1 of said act is hereby amended so as to read:

Fixing
salaries of
certain
justices of
the peace
and
constables in
Elko County

Section 1. From and after the passage of this act, the board of county commissioners of Elko County, Nevada, is hereby empowered and directed to appropriate from the treasury of said county and to pay to the justice of the peace of Elko township of said county, the sum of one hundred and fifty (150) dollars monthly as a salary; and to the justices of the peace of Star Valley and Montello townships of said county the sum of fifty (50) dollars each monthly as a salary; and to the constable of said Elko township the sum

of one hundred and fifty (150) dollars monthly as a salary; and to the constable of said Star Valley township the sum of seventy-five (75) dollars monthly as a salary; and to the constable of said Montello township the sum of one hundred and twenty-five (125) dollars monthly as a salary; *provided*, that said justices of the peace and said constables shall be allowed to retain all fees in civil cases as now provided by law. The regularly elected or appointed justice of the peace of said townships shall pay into the county treasury each month all moneys collected by them as fees, save as hereinabove provided. Proviso

SEC. 2. All acts and parts of acts in conflict with this act are hereby repealed. Repeal

CHAP. 56—*An Act to promote the horticultural interests of the state.*

[Approved March 10, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. It shall be the duty of the county board of commissioners in each county, whenever they shall deem it necessary, or whenever complaint shall be made to them, to cause an inspection to be made of any premises, orchards or nurseries or trees, plants, vegetables, vines or fruits in their jurisdiction, and if found infested with infectious diseases, scales, insects or codling moths, or other pests injurious to fruits, plants, vegetables, trees or vines, or with their eggs or larvæ, they shall notify the owner or owners of the said premises or orchards or nurseries or trees, plants, vegetables, vines or fruits that the same are infested with said diseases, insects, or other pests, or any of them, or their eggs or larvæ, and they shall require said owner or owners to eradicate said insects or other pests or their eggs or larvæ within a certain time to be specified in said notice. Said notices may be served upon the owner or owners, or either of them, by any commissioner or by any person deputed by the said commissioners for that purpose, or they may be served in the same manner as a summons in a civil action in a justice's court. Any and all such places or orchards or nurseries or trees, plants, vegetables, vines or fruits thus infested are hereby adjudged and declared to be a public nuisance, and whenever any such nuisance shall exist at any place within their jurisdiction, and the owner or owners thereof, after due notification of the aforesaid, shall refuse or neglect to abate the same within the time specified, it shall be the duty of the county board of commissioners to cause said nuisance to be at once abated by eradicating or destroying said diseases, insects, or other pests and their eggs and larvæ. The expense thereof shall be a county charge and shall be allowed and paid out of the County commissioners may destroy orchards, nurseries, trees, etc., where infectious diseases exist

Expenses a county charge

Charge a lien on property general funds of the county. Any and all sums so paid shall be and become a lien on the property and premises from which said nuisance has been removed or abated in pursuance of this act and may be recovered by an action against such property and premises. A notice of such lien shall be filed and recorded in the office of the county recorder of the county in which the said property and premises are situated within thirty days after the right to liens has accrued. An action to foreclose such lien may be commenced at any time within one year after the filing and recording of said notice or lien, which action shall be brought in the proper court by the district attorney of the county in the name and for the benefit of the county making such payment or payments, and when the property is sold enough of the proceeds shall be paid into the county treasury of such county to satisfy the lien and costs, and the overplus, if any there be, shall be paid to the owner of the property if he be known, and if not, into the court for his use when ascertained. All sales under the provisions of this act shall be made in the same manner and upon the same notice as sales of real property under execution from the justice's court.

Sale under foreclosure

CHAP. 57—*An Act authorizing the secretary of state to furnish certain documents to certain institutions.*

[Approved March 10, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Certain law schools to be donated certain books SECTION 1. The secretary of state is hereby authorized and directed to donate to the law school of Harvard University at Cambridge, Massachusetts, and to the law school of the University of Colorado at Boulder, Colorado, each, one complete set of the appendices of the senate and assembly journals of this state, commencing with the first territorial session of the legislature and extending down to the present time; *provided*, the secretary of state shall incur no expense on behalf of the State of Nevada for the transportation of such appendices.

CHAP. 58—*An Act for the relief of J. H. Stern.*

[Approved March 10, 1917]

Relief of J. H. Stern WHEREAS, Under the provisions of section 4888, Revised Laws, the sheriff of Ormsby County, Nevada, is the bailiff of the supreme court of the State of Nevada, and for his services as such bailiff he is entitled to receive from the state the sum of four (\$4) dollars per day when actually in attendance upon said court, such sum to be paid by the state treasurer out of the biennial appropriation therefor; and

WHEREAS, The general appropriation bill passed at the twenty-seventh session of the legislature provided an appropriation of three hundred (\$300) dollars for the biennial period of 1915-1916 for the salary of bailiff of the supreme court (Stats. 1915, 233); and Relief of
J. H. Stern

WHEREAS, Owing to the unusual amount of business in the supreme court, the said appropriation did not cover the biennial period for which it was intended; and

WHEREAS, The services covered in the said claim of J. H. Stern have been actually rendered by him and the same has been approved by the clerk of the supreme court during the period for which said services were rendered, and said claim has been fully examined and approved by the state board of examiners and is a just and legal claim against the state; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of one hundred and eighty-four (\$184) dollars is hereby appropriated out of the moneys in the general fund in the treasury, not otherwise appropriated, in payment of said claim of said J. H. Stern. The state controller is hereby directed to draw his warrant in favor of said J. H. Stern for the said sum of one hundred and eighty-four (\$184) dollars and the state treasurer is hereby directed to pay the same. Appropriation, \$184

CHAP. 59—*An Act for the relief of certain persons and institutions.*

[Approved March 10, 1917]

WHEREAS, Under the provisions of section 1702, Revised Laws of Nevada, 1912, the superintendent of public instruction is authorized to make arrangements with the directors of institutions for the deaf and dumb and the blind for the admission, support, education, and care of the deaf, dumb, and blind of this state, and for that purpose is empowered to make all needful contracts and agreements; and Relief for
certain
persons
and
institutions
for care of
wards of the
state

WHEREAS, For the purpose of carrying out the provisions of the said act an appropriation of six thousand (\$6,000) dollars was made in the general appropriation act passed at the twenty-seventh session of the Nevada legislature (Stats. 1915, 235); and

WHEREAS, Under the provisions of section 1, act of 1915, page 576, Statutes of Nevada, the superintendent of public instruction is authorized to make arrangements with the director of any institution for the feeble-minded for admission, support, education, and care of feeble-minded children in this state, and for that purpose is empowered to make all needful contracts and agreements; and

WHEREAS, To carry out the provisions of said act the sum

of five hundred (\$500) dollars for the care and education of feeble-minded children was appropriated in the general appropriation bill passed at the twenty-seventh session of the legislature of the State of Nevada (Stats. 1915, 235); and

Relief for
certain
persons and
institutions

WHEREAS, Pursuant to the provisions of the statutes above mentioned the said superintendent of public instruction did contract with certain deaf and blind, feeble-minded and adult blind institutions in the State of California for the care of the deaf and dumb and blind and feeble-minded of this state; and

WHEREAS, The appropriations above mentioned were not sufficient to care for all such persons as were committed to such institutions; and

WHEREAS, In view of the deficiency of such appropriation the said superintendent of public instruction applied to and received from the state board of examiners a resolution in writing declaring a deficiency in such appropriations for the reason that it was necessary to care for and maintain and support such persons; and

Deficiency,
\$560.60

WHEREAS, Relying on said deficiency resolution the state superintendent of public instruction did contract for claims in excess of the appropriation aforesaid in the sum of five hundred sixty dollars and sixty cents (\$560.60), which said claims have been duly examined, allowed, and approved by the board of examiners of the State of Nevada, and are just and legal claims against the state; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation,
\$560.60

SECTION 1. The sum of five hundred sixty dollars and sixty cents (\$560.60) is hereby appropriated, out of any money in the general fund of the treasury of the State of Nevada not otherwise appropriated, to be paid out and distributed as follows: To John Edwards Bray, seventeen dollars and five cents (\$17.05); to Dr. A. E. Osborne, three hundred five dollars and seventy cents (\$305.70); to the California School for the Deaf and the Blind, thirty-seven dollars and eighty-five cents (\$37.85); and to the Industrial Home for the Adult Blind, two hundred (\$200) dollars. The state controller is hereby directed to draw his warrants in favor of said persons and institutions for the respective amounts above set forth, and the state treasurer is hereby directed to pay the same.

CHAP. 60—*An Act to regulate the salary and compensation of the justices of the peace and constables in the county of Elko, State of Nevada, and to repeal all acts and parts of acts in conflict herewith.*

[Approved March 10, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. On petition to the board of county commissioners of Elko County, Nevada, of sixty per cent of the taxpayers of any judicial township in the county of Elko, State of Nevada, said number to be determined from the tax roll of said county, the board of county commissioners shall place the offices of justices of the peace and constable within that judicial township on a salary basis; the justice of the peace to receive not to exceed fifty dollars per month, and constable not to exceed seventy-five dollars per month, to be paid out of the general county funds of said Elko County; *provided*, however, that nothing in this act shall apply to judicial townships in which the registration is less than 150 voters, or affect present officers whose salaries are fixed by legislative enactment.

County commissioners of Elko County may place justices of the peace and constables on salary basis when properly petitioned

Exception

SEC. 2. All acts or parts of acts in conflict herewith are hereby repealed.

Repeal

CHAP. 61—*An Act exempting property of veterans.*

[Approved March 10, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The property to the amount of one thousand dollars of every resident in this state who has served in the army, navy, marine corps, or revenue marine service of the United States in time of war, and received an honorable discharge therefrom, and not having an income to exceed \$900 per annum, shall be exempt from taxation; *provided*, that this exemption shall not apply to any person named herein owning property of the value of three thousand dollars (\$3,000) or more. No exemption shall be made under the provisions of this act of the property of a person who is not a legal resident of this state.

Property of resident army or navy veteran exempt to amount of \$1,000

Exception

CHAP. 62—*An Act to amend an act entitled "An act to establish a state board of embalmers; to provide a system of examination, registration, and licensing of embalmers; to provide for the better protection of life and health; to prevent the spread of infectious and contagious diseases in the state; and to impose penalties for the violation of its provisions," approved February 20, 1909.*

[Approved March 10, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 3 of the above-entitled act is hereby amended so as to read as follows:

Relating to
state board
of
embalmers

Section 3. (a) Said board shall meet at least once every year, and may also hold special meetings, if the proper discharge of its duties shall require, at a time and place to be fixed by the rules and by-laws of the board; and the rules and by-laws of the board shall provide for the giving of timely notice of all special meetings to all members of the board and to all applicants for licenses. Two of its members at any meeting may organize, and shall constitute a quorum for the transaction of business. The secretary shall be required to keep a record of all the meetings of said board, and a register of the names, residence address and business address of all embalmers duly licensed under the provisions of this act, and the number and date of license, which register shall at all reasonable times be open to public examination; and a copy of such register shall be furnished to all those so registered, and to the various railroad, transportation, and express companies doing business in the State of Nevada; and said board shall cause the prosecution of all persons violating any of the provisions of this act.

Record kept

Furnished,
when

Board may
revoke
licenses for
cause

(b) The state board of embalmers shall have the power to revoke any license, issued in accordance with the provisions of this act, by a unanimous vote of said board, for gross incompetency, dishonesty, habitual intemperance, or any act derogatory to the morals or standing of the practice of embalming, as may be determined by the board; but before any license shall be revoked the holder thereof shall be entitled to at least thirty days' notice in writing of the charge against him or her and of the time and place of hearing and determining such charge, at which time and place he or she shall be entitled to be heard. Upon the revocation of any license it shall be the duty of the secretary of the board to strike the name of the licensee from the register of licensed embalmers, and to notify all railroad, transportation and express companies doing business in the State of Nevada, and all licensed embalmers in this state, of such action.

SEC. 2. Section 9 of the above-entitled act is hereby amended so as to read as follows:

Section 9. Any person holding a license as an embalmer from any other state, who shall show to the satisfaction of the board that he or she has passed an examination similar to that required by the provisions of this act, and that he or she is competent to engage in the business or practice of embalming, may, upon the payment of the fee of ten dollars to the secretary of said board therefor, receive a license and be registered as an embalmer of this state without examination; but in case of any doubt upon the part of said board an examination shall be had as herein provided.

Certificates of other states may be recognized

Fee

SEC. 3. Section 10 of the above-entitled act is hereby amended so as to read as follows:

Section 10. Any railroad, transportation or express company which shall receive for transportation and shipment any dead human body, unless said body has been prepared by a regularly licensed embalmer of the State of Nevada, with the removal permit, his or her name and the number of his or her embalmer's license attached thereon, unless said body shall reach its destination within the boundaries of this state and within thirty hours from time of death, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than twenty-five dollars nor more than five hundred dollars. All laws in force in this state pertaining to the disposition, shipment, or burial of human dead bodies, or regulations of the state health department relating thereto, shall be and are in nowise affected by the provisions of this act.

Penalties for noncompliance of common carriers

CHAP. 63—*An Act to amend sections 6 and 7 of an act entitled "An act relating to children who are now or may hereafter become dependent, neglected, or delinquent, to define these terms and to provide for the treatment, control, maintenance, protection, adoption, and guardianship of the person of such child or children," approved March 24, 1909, and further approved March 27, 1911.*

[Approved March 10, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 6 of an act entitled "An act relating to children who are now or who may hereafter become dependent, neglected, or delinquent, to define these terms and to provide for the treatment, control, maintenance, protection, adoption and guardianship of the person of such child or children," approved March 24, 1909, and further approved March 27, 1911, is hereby amended so as to read as follows:

Relating to dependent, neglected or delinquent children

Section 6. *Probation Officers.* The district courts in this state shall have authority to appoint any number of discreet persons of good moral character to serve as probation officers during the pleasure of the court; said probation officers shall

Probation officers

Duty of
county clerk

receive no compensation from the county treasury except as herein provided. It shall be the duty of the clerk of the court, if practicable, to notify the said probation officer when any child is to be brought before the court; it shall be the duty of such probation officer to make investigation of such case; to be present in the court to represent the interests of the child when the case is heard; to furnish such court such information and assistance as the court or judge may require, and to take charge of any child before and after the trial as may be directed by the court. The number of probation officers to receive compensation from the county, named and designated by the district court, shall be as follows:

How
appointed

The judge of the district court in and for each county, or city and county, of the state, or the judges where there are more than one judge of the said court, may appoint probation officers, in the number and under the conditions as in this act provided, whenever such appointments shall be deemed necessary to care for the dependent and delinquent children of the county; *provided*, such probation officers can be removed from office at any time by the said district judge, or judges. The salary of said probation officers shall be as follows:

Salaries and
expenses
limited

In counties having over fifteen thousand population, there may be one probation officer receiving a salary. An assistant probation officer may be appointed, in the discretion of the court, upon the request of the probation officer. The salary of the probation officer shall be fixed by the court appointing him, in any sum not to exceed one hundred and fifty dollars per month; and the salary of the assistant probation officer, where one is appointed, shall likewise be fixed by the court appointing him, in any sum not to exceed seventy-five dollars per month. The expenses of such probation officers for probation work shall not exceed seven hundred and fifty dollars per year.

In counties having less than fifteen thousand population it shall be within the discretion of the district judge, or judges, of each of said counties to determine as to the necessity of appointing a probation officer; *provided*, that in counties having eight thousand population and under fifteen thousand there shall be no more than one probation officer receiving a salary, and such salary shall be fixed by the court appointing him, in any sum not to exceed one hundred and twenty-five dollars per month; *provided, further*, that in counties of five thousand and under eight thousand there shall be no more than one probation officer receiving a salary, and such salary shall be fixed by the court appointing him, in any sum not to exceed one hundred dollars per month; *and provided further*, that in counties of under five thousand there shall be no more than one probation officer receiving a salary, and such salary shall be fixed by the court appoint-

ing him, in any sum not to exceed seventy-five dollars per month.

All probation officers whose expenses are not herein provided shall be allowed such necessary incidental expenses as may be authorized by the judge, or judges, of the district court of said county; *provided*, that the said probation officers can be appointed for any portion or part of a year as the said district judge or judges may determine, and can be paid for the time and periods said probation officer serves under such appointment. The salary and expenses of the probation officer shall be paid out of the county funds in the county treasury in monthly installments, in the same manner as other claims against the county.

District judges may authorize salary and expenses of temporary officer

Any district judge, or judges, appointing such probation officer to receive a salary or other compensation from the county provided for under this act, shall transmit such appointment to the district superintendent of schools of the district of which the county in which said appointment is made is a part, the state superintendent of public instruction, and the governor of this state, who shall constitute a board to investigate the competency of such person so appointed to act as probation officer, and it shall be the duty of a majority of said board to approve or disapprove of such appointee, within thirty days after the submission thereof by the said district court, and a failure to act thereon within such time shall constitute an approval of such appointment. If a majority of such board are of the opinion that such appointee does not possess the qualifications for a probation officer, they shall notify the court of their conclusions within thirty days of such appointment to the respective members thereof, whereupon it shall be the duty of the district judge, or judges, to withdraw such appointment and appoint some one who shall receive the approval of said board.

Governor and school officers to approve appointment of officer

Probation officers receiving a salary or other compensation from the county, provided for by this act, are hereby vested with all the power and authority of police or sheriffs to make arrests and perform any other duties ordinarily required by policemen and sheriffs which may be incident to their office or necessary or convenient to the performance of their duties; *provided*, that other probation officers may be vested with like power and authority upon a written certificate from the district judge, or judges, that they are persons of discretion and good character, and that it is the desire of the court to vest them with all the power and authority conferred by law upon probation officers receiving compensation from the county.

Officers to have authority of police officers

The appointment of probation officers and the approval thereof as to the qualifications of such officers by the board herein designated, shall be filed in the office of the clerk of the court. Probation officers shall take an oath such as may

Appointments filed with clerk of court

be required of other county officers to perform their duties, and file in the office of the clerk of the district court.

Further
amendments

SEC. 2. Section 7 of an act entitled "An act relating to children who are now or who may hereafter become dependent, neglected, or delinquent, to define these terms and to provide for the treatment, control, maintenance, protection, adoption and guardianship of the person of such child or children," approved March 24, 1909, and further approved March 27, 1911, is hereby amended so as to read as follows:

Probation
officer to file
report

Section 7. It shall be the duty of each probation officer receiving a salary in his respective county, prior to the first day of January in each year, to file with the clerk of the court a report in writing of the number and nature of the cases handled by him during the preceding year, together with such suggestions and comments as may be proper concerning probation work in his county, and the management of all societies, associations, and corporations, except state institutions, applying for or receiving any child under this act from the court of his respective county.

Court may
decide
custody of
minor

If the court shall find any child under the age of eighteen years to be dependent or neglected within the meaning of this act, the court may allow such child to remain at its home subject to the friendly visitation of a probation officer, or to report to the court or probation officer from its home or school at such times as the court may require. And if parent, parents, guardian or custodian consent thereto, or if the court shall further find that the parent, parents, guardian or custodian of such child are unfit or improper guardians or are unable or unwilling to care for, protect, train, educate, correct or discipline such child, and that it is for the interest of such child and other people of this state that such child be taken from the custody of its parents, custodian or guardian, the court may make an order appointing as guardian of the person of such child, some reputable citizen of good moral character, and order such guardian to place such child in some suitable family, home or other suitable place which such guardian may provide for such child, or the court may enter an order committing such child to some suitable state institution, of this or any other state, organized for the care of dependent or neglected children, or to some training or industrial school or childrens' home-finding society of this or any other state, or to some association embracing in its objects the purpose of caring for or obtaining homes for neglected or dependent children, which association shall have been accredited as heretofore provided.

CHAP. 64—*An Act to repeal an act entitled "An act to establish at the University of Nevada a public service department known as the department of engineering experimentation, to provide ways and means for aiding settlers, farmers, and other persons, in the development of the underground waters of the state by giving expert advice regarding the most probable location, the best method of developing the underground water systems by the testing of, and the recommendation of, the most efficient machinery and power for pumping, and providing an appropriation therefor," approved March 11, 1915.*

[Approved March 12, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The act entitled "An act to establish at the University of Nevada a public service department, known as the department of engineering experimentation, to provide ways and means for aiding settlers, farmers, and other persons in the development of the underground waters of the state by giving expert advice regarding the most probable location, the best method of developing the underground water systems by the testing of, and the recommendation of, the most efficient machinery and power for pumping, and providing an appropriation therefor," approved March 11, 1915, is hereby repealed.

Repeal of act creating department of engineering experimentation at university

CHAP. 65—*An Act for the relief of The Gorham Company and Wells, Fargo & Company.*

[Approved March 12, 1917]

WHEREAS, Under the provisions of an act entitled "An act in relation to the presentation of a silver service to the battleship 'Nevada' and making an appropriation therefor," approved March 20, 1913 (Stats. 1913, 182), the governor, lieutenant-governor and secretary of state were constituted a board to take all necessary steps to secure donations from producing gold and silver mines of precious metals, and to secure subscriptions from the citizens of the state, towards the cost of a silver-and-gold or exclusively silver service for presentation to the United States battleship "Nevada"; and

Relief of Gorham Co. and Wells-Fargo

WHEREAS, Said act authorized said board to select the design for such service and to contract for its manufacture; and

WHEREAS, Said act provided an appropriation of five thousand (\$5,000) dollars to supplement the contributions as aforesaid to meet the purposes of said act; and

WHEREAS, Pursuant thereto the said board did contract with The Gorham Company for such silver service at and for the cost of four thousand nine hundred and ninety (\$4,990) dollars; and

Deficiencies
named

WHEREAS, The gold- and silver-producing mines of the state did not contribute as much bullion for such silver service as was expected, and after allowing credit for such bullion as was contributed there was a balance due on such contract to said The Gorham Company of eighteen hundred and seventy-five (\$1,875) dollars; and

WHEREAS, The said board did also contract an indebtedness with Wells, Fargo & Company for the express charges on said silver service from Carson City to Providence, Rhode Island, in order that the said silver service might be delivered to the officers of the said battleship "Nevada"; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation, \$1,948.20

SECTION 1. The sum of one thousand nine hundred and forty-eight dollars and twenty (\$1,948.20) cents is hereby appropriated, out of any moneys in the general fund of the treasury not otherwise appropriated, to be paid and distributed as follows:

To The Gorham Company, eighteen hundred and seventy-five (\$1,875) dollars; to Wells, Fargo & Company, seventy-three dollars and twenty (\$73.20) cents. The state controller is hereby directed to draw his warrants in favor of said corporations for the respective amounts herein mentioned and the state treasurer is hereby directed to pay the same.

CHAP. 66—*An Act to amend an act entitled "An act to provide for the destruction of noxious animals and to repeal an act relating thereto," approved February 3, 1887, as amended by acts approved March 24, 1911, and February 28, 1913.*

[Approved March 12, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 1 of the above act is hereby amended to read as follows:

County to
pay bounties
for certain
noxious
animals

Section 1. If any person shall take or kill within this state any of the following noxious animals, he shall be entitled to receive, out of the treasury of the county within which such animals shall have been taken, the following bounties, to wit: For every lynx or wildcat, two dollars, and for every mountain lion, five dollars; all of which bounties shall be subject to the provisions of this act.

CHAP. 67—*An Act to amend an act entitled "An act regulating the fees of the office of surveyor-general, and other matters relating thereto," approved March 15, 1915.*

[Approved March 12, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 1 of the above-entitled act is hereby amended so as to read as follows:

Section 1. The surveyor-general shall charge the following fees:

For making a certified copy of a contract to purchase state lands and for the renewal of a contract, one dollar each. Fees of
surveyor-
general

For township diagrams showing forfeited lands for sale and price of same, when the number exceeds five in an order, twenty cents each.

For a township diagram showing state entries only, fifty cents each.

For a township plat showing entries, names of entrymen and agents, kinds of entries, also forfeited lands for sale, two dollars each plus ten cents per name for each entryman.

For a complete tracing of a township plat showing entries, forfeited lands for sale, names of entrymen and agents, with number and date of entry, kinds of entries, topography, etc., five dollars per township plat plus ten cents per name for each entryman.

For making a certified copy of any record or instrument not included in the above, twenty cents per folio for the original, and five cents per folio for each carbon copy.

All fees charged and collected under this act shall be accounted for by the surveyor-general and paid into the state treasury for the state school fund. All fees to
state school
fund

SEC. 2. All acts and parts of acts in conflict herewith are hereby repealed.

CHAP. 68—*An Act for the relief of certain persons.*

[Approved March 12, 1917]

WHEREAS, Hon. T. C. Hart, district judge of the Eighth judicial district, rendered his claim for traveling expenses for the last quarter of the year 1916, amounting to one hundred and thirty-one dollars and fourteen cents (\$131.14), after the appropriation therefor had reverted; and Relief of
sundry
persons

WHEREAS, Hon. Peter Breen, district judge of the Third judicial district, rendered his claim for traveling expenses for the last quarter of the year 1916, amounting to twenty-six dollars and thirty cents (\$26.30), after the appropriation therefor had reverted; and

WHEREAS, Hon. J. E. Walsh, district judge of the Seventh judicial district, rendered his claim for traveling expenses for the last quarter of the year 1916, amounting to fifty-five

dollars and ninety cents (\$55.90), after the appropriation therefor had reverted; and

Relief of
sundry
persons

WHEREAS, The Carson City News rendered its claim for state printing for the month of December, amounting to one hundred (\$100) dollars, after the appropriation therefor had reverted; and

WHEREAS A claim of the Tonopah Bonanza Printing Company against the Tonopah School of Mines, amounting to \$15.25, was duly examined, allowed and approved by the state board of examiners, and the same was not paid by the state controller by reason of the fact that the appropriation for the said Tonopah School of Mines had reverted; and

WHEREAS, Wm. Kearney, state engineer, rendered his claim for observers' salaries for the last quarter of the year 1916, amounting to two hundred twenty-two dollars and thirteen cents (\$222.13), after the appropriation therefor had reverted; and

WHEREAS, The following-named persons rendered their claims in the respective amounts hereinafter set forth for salaries and labor at the Clark County Experiment Farm for the month of December, 1916, after the appropriation therefor had reverted, to wit: E. H. Syphus, \$10; Henry Rice, \$10; John Tobler, \$100; Walter Stevens, \$60; Le Roy Tobler, \$15; A. L. Egbert, \$20; Wm. Calkins, \$11.25; F. E. Larsen, \$6.75; Eugene Parker, \$4.50; and

WHEREAS, Ed. Von Tobel Lumber Company rendered its claim for lumber furnished to the Clark County Experiment Farm during the month of December, 1915, amounting to the sum of seventy dollars and thirty cents (\$70.30), after the appropriation therefor had reverted; and

WHEREAS, Dr. T. F. Richardson was specially employed by the governor of the state during the year 1911 to perform certain services as state veterinary in the matter of eradication of the epidemic of anthrax in Churchill and Lyon Counties which said employment continued to and including January 31, 1913, and no appropriation was made by the twenty-sixth legislature for his salary for the month of January, 1913; and

WHEREAS, Said Dr. T. F. Richardson died on August 22, 1914, and Mrs. T. F. Richardson has been appointed and has qualified as administratrix of his estate; and

WHEREAS, The Tonopah School of Mines rendered its claim for seventy-four dollars and eleven cents (\$74.11), after the appropriation therefor had reverted, and the same was paid out of the university revolving fund; and

WHEREAS, All of said claims have been duly examined, allowed and approved by the board of examiners of the State of Nevada, and are just and legal claims against the State of Nevada; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of one thousand eighty-two dollars and sixty-three cents (\$1,082.63) is hereby appropriated, out of any moneys in the general fund of the state treasury not otherwise appropriated, to be paid out and distributed as follows: To the Hon. T. C. Hart, one hundred thirty-one dollars and fourteen cents (\$131.14). To the Hon. Peter Breen, twenty-six dollars and thirty cents (\$26.30). To the Hon. J. E. Walsh, fifty-five dollars and ninety cents (\$55.90). To the Carson City News, one hundred dollars (\$100). To the Tonopah Bonanza Printing Company, fifteen dollars and twenty-five cents (\$15.25). To Wm. Kearney, Esq., state engineer, two hundred twenty-two dollars and thirteen cents (\$222.13). To E. H. Syphus, Esq., ten dollars (\$10). To Henry Rice, Esq., ten dollars (\$10). To John Tobler, Esq., one hundred dollars (\$100). To Walter Stevens, Esq., sixty dollars (\$60). To Le Roy Tobler, Esq., fifteen dollars (\$15). To A. L. Egbert, Esq., twenty dollars (\$20). To Wm. Calkins, Esq., eleven dollars and twenty-five cents (\$11.25). To F. E. Larsen, Esq., six dollars and seventy-five cents (\$6.75). To the University Revolving Fund, seventy-four dollars and eleven cents (\$74.11). To Eugene Parker, Esq., four dollars and fifty cents (\$4.50). To Ed. Von Tobel Lumber Company, seventy dollars and thirty cents (\$70.30). To Mrs. T. F. Richardson, administratrix of the estate of Dr. T. F. Richardson, deceased, one hundred fifty dollars (\$150).

Appropriation, \$1,082.63

SEC. 2. The state controller is hereby directed to draw his warrants in favor of the persons mentioned herein, for the respective amounts above set forth, and the state treasurer is hereby directed to pay the same.

Duties of controller and treasurer

CHAP. 69—*An Act appropriating two thousand dollars for the aid of the work of the student loan fund of the Federation of Women's Clubs of the State of Nevada.*

[Approved March 12, 1917]

WHEREAS, The women of the Federation of Women's Clubs of the State of Nevada, at their fifth annual convention at Goldfield, in October, founded the student loan fund; and

Assisting student loan fund

WHEREAS, Among other things, the purposes for which said fund is formed are: To aid and encourage deserving and needy girls and boys of the State of Nevada who are desirous of educating themselves to be self-supporting; the money is loaned without interest to be repaid in small sums as the borrowers are able to do so, thereby creating a revolving fund; it is available only to residents of Nevada; not

more than four hundred (\$400) dollars shall be loaned to any one student, and not more than two hundred (\$200) dollars to any such student in any one school year; and

WHEREAS, Said fund has already aided seventeen girls and boys, and the demands of said work are continually increasing, and it is without sufficient funds to properly provide for those seeking its help and to carry out the great objects and purposes for which it is organized; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation, \$2,000

SECTION 1. The sum of two thousand (\$2,000) dollars is hereby appropriated from the general fund in the treasury of the State of Nevada, not otherwise appropriated, for the purpose of assisting the said student loan fund in carrying out the objects and purposes for which it was organized.

To be paid to Miss Emma Vanderlieth

SEC. 2. Upon written request of Miss Emma Vanderlieth, chairman of the student loan fund of the Federation of Women's Clubs of Nevada, the controller of the State of Nevada is hereby authorized and directed to draw his warrant in favor of the student loan fund of the Federation of Women's Clubs of Nevada for the sum of two thousand (\$2,000) dollars, and upon presentation of the same to the treasurer of the State of Nevada the said treasurer is hereby authorized and directed to pay said sum of two thousand (\$2,000) dollars to the chairman of said student loan fund of the Federation of Women's Clubs of Nevada.

Must report annually to governor

SEC. 3. The chairman of the student loan fund of the Federation of Women's Clubs of Nevada shall make an annual report to the governor of the State of Nevada showing the disposition of said fund and transactions concerning the same.

CHAP. 70—*An Act to authorize the board of county commissioners of Mineral County, State of Nevada, to issue bonds for the purpose of building and furnishing a schoolhouse in Mina school district No. 17, and matters properly relating thereto.*

[Approved March 12, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Bonds for schoolhouse at Mina

SECTION 1. The board of county commissioners of Mineral County is hereby authorized, empowered, and directed to prepare and issue bonds of said county, such bonds to be issued on or before the first day of June, 1917, for the sum of eight thousand (\$8,000) dollars, exclusive of interest, for the purpose of providing funds for the construction of a schoolhouse in the town of Mina of said county (upon a site to be chosen by the board of school trustees of Mina school

district No. 17), and for equipping and furnishing said building.

SEC. 2. The board of county commissioners of said Mineral County shall cause said bonds to be prepared and made ready for issuance. Said bonds shall be signed by the chairman of the board, countersigned by the county treasurer, and authenticated by the seal of the county; coupons for interest shall be attached to each bond, so that the same may be removed without injury to the bond, and each of said coupons shall be consecutively numbered, and signed by the chairman of said board and the county treasurer. Description of bonds

SEC. 3. The clerk of the board of county commissioners shall keep a record of all proceedings under the provisions of this act, showing the number and date of each bond and to whom issued. Record kept

SEC. 4. The board of county commissioners of Mineral County is hereby authorized to negotiate the sale of said bonds, by advertising for sealed proposals or by private sales, as they may deem for the best interests of the county, and may reject any and all bids; *provided*, that the State of Nevada shall be given first preference in the purchase of said bonds from the state permanent school fund moneys; that no bonds shall be sold for less than par value; and *provided, further*, that all bonds shall be made payable in gold coin of the United States, and the interest thereon shall be payable in like gold coin. Sale of bonds

SEC. 5. Said bonds shall be numbered consecutively from one to eight, and shall be redeemable at the rate of one each year, and the interest on the same shall not exceed six per cent per annum, payable semiannually on the first day of January and July respectively of each year at the office of the county treasurer of the said Mineral County. Said bonds shall be each for the sum of one thousand (\$1,000) dollars. Interest limited to 6%

SEC. 6. All moneys derived from the sale of said bonds shall be paid to the county treasurer of said county, and the said treasurer is hereby required to receive and safely keep the same in a fund hereby created and known as "Mina School District No. 17 Fund," and to pay out said moneys only in the manner now provided by law and for the purpose for which the same were received. "Mina School District No. 17 Fund"

SEC. 7. The board of trustees of Mina school district No. 17 is hereby authorized and directed to use said moneys arising from the sale of said bonds, or such number thereof as they may deem necessary, for the construction, equipment, and furnishing of a school building in the Mina school district No. 17, and any balance remaining in said fund, after the completion, equipment, and furnishing of said building, shall be turned over and converted into the proper fund provided for running and maintaining said school, in accordance with and pursuant to the provisions of law pertain- Money to be used for Mina district

ing to the establishment of schools in the various counties of this state.

Plans for
building

SEC. 8. Said board of trustees of Mina school district No. 17 shall determine as to the character of said building, the materials to be used therefor, and the plans therefor, and when such determination is made said board shall advertise for bids for the construction thereof by contract to the lowest and most responsible bidder. The laws in force governing contracts by boards of county commissioners are hereby made applicable to, and the same shall govern, the action of the board of trustees of Mina school district No. 17 in carrying out the provisions of this act. All demands and bills contracted by said board of trustees of Mina school district No. 17 shall be paid in the manner now provided by law; *provided*, that no such bills shall be allowed until the plans for said school building shall have been approved by the state superintendent of public instruction.

Site to be
selected

SEC. 9. As soon as possible after the passage and approval of this act, or after this act shall become a law, the board of trustees of Mina school district No. 17 shall proceed to select an appropriate site for said school building in the town of Mina, in said county, and the board of trustees of said Mina school district No. 17 shall thereafter, with all expedient dispatch, proceed to the execution of the purposes of this act.

County
treasurer
responsible

SEC. 10. The county treasurer of said Mineral County shall be liable on his official bond for the safe keeping of the moneys which shall come into his hands under the provisions of this act, and for the faithful discharge of all his duties in relation thereto.

Special tax
for interest
and
redemption
of bonds

SEC. 11. For the purpose of creating a fund for the payment of the bonds authorized by this act and the interest thereon, the board of county commissioners of said Mineral County is authorized and required to levy, at the time the said board of county commissioners make the annual levy for taxes for all purposes, and collect annually a special tax upon the assessment valuation of all property, both real and personal, subject to taxation, including the proceeds of mines, within the boundaries of said Mina school district No. 17, until said bonds and the interest thereon shall have been fully paid, sufficient to pay the interest on said bonds and retire, beginning with bond number one and consecutively thereafter, one of said bonds annually, beginning on the first day of July, 1919, until all of said bonds have been redeemed and retired. Such tax shall be levied and collected in the same manner and at the same time as other taxes are assessed and collected, and the proceeds thereof shall be kept by the county treasurer in a special fund to be known as the "Mina School District No. 17 Bond Sinking Fund"; *provided, however*, that if the amount of the tax levied upon the property within said Mina school district No. 17 shall at any time be

insufficient to pay the interest on said bonds and provide for the retirement as provided in this section, the board of county commissioners of said Mineral County are hereby required to levy and collect annually a special tax on the assessment valuation of all property, real and personal, subject to taxation, including the proceeds of mines, within the boundaries of said Mineral County, and continue such levy from year to year to meet any deficit which may occur in said Mina school district No. 17 bond sinking fund, and the faith and credit of Mineral County is hereby pledged to the prompt and ready payment of said bonds and the interest thereon according to the terms, conditions, and tenor thereof.

Faith of
county
pledged

SEC. 12. It shall be obligatory on the said county and on its proper officers to pay in full the accrued interest on said bonds beginning on the first day of July, 1917, and thereafter on the first day of January and July respectively, in each and every year, until all of said bonds shall have been redeemed and retired.

Interest
must be paid
promptly

SEC. 13. Whenever the bonds and interest provided for in this act shall have been fully paid, the tax authorized by this act shall cease, and all moneys remaining in said bond sinking fund shall, by order of the board of county commissioners of said county, be transferred to the fund used for paying the contingent expenses of said Mina school district No. 17.

Tax ceases,
when

SEC. 14. Whenever the county treasurer shall redeem any of the bonds issued under the provisions of this act, he shall cancel the same by writing across the face thereof "Paid," together with the date of such payment, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners, and the auditor shall credit the treasurer on his books for the amount so paid.

Treasurer to
cancel paid
bonds

SEC. 15. Should the holder of said bonds or any of them, for any cause whatever, fail to present said bonds to the said county treasurer for payment, when they become due, all interest on such bonds shall thereafter immediately cease.

Interest
ceases, when

SEC. 16. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor the taxation thereby imposed be omitted, until all the bonds and coupons issued hereunder and by virtue hereof shall have been paid in full, as in this act specified.

Faith of state
pledged

CHAP. 71—*An Act to authorize and empower the board of county commissioners of Esmeralda County to issue bonds for the purpose of creating a fund for liquidating and paying the outstanding indebtedness of said county, incurred by virtue of issuing bonds for Goldfield school district No. 4, under the provisions of an act entitled "An act to enable the several school districts of the state to issue negotiable coupon bonds for the purpose of erecting and furnishing school buildings or purchasing ground or for refunding floating funded debts, and providing for the payment of the principal indebtedness thus authorized and the interest thereon," approved March 12, 1907.*

[Approved March 12, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Bonds
authorized
for paying
indebtedness
of Goldfield
school
district No. 4

SECTION 1. The board of county commissioners of Esmeralda County, State of Nevada, whenever they deem the same to be necessary and expedient, is hereby authorized and empowered to issue negotiable bonds of the said county for an amount not exceeding the sum of thirty thousand (\$30,000) dollars, and in denominations of one thousand (\$1,000) dollars each, having not more than six (6) years to run, and bearing interest at the rate of not exceeding six (6%) per cent per annum, payable semiannually on the first Mondays of July and January in each year, for the purpose of providing funds for paying any outstanding indebtedness of said county incurred by virtue of issuing bonds for Goldfield school district No. 4, under the provisions of an act entitled "An act to enable the several school districts of the state to issue negotiable coupon bonds for the purpose of erecting and furnishing school buildings or purchasing ground or for refunding floating funded debts, and providing for the payment of the principal indebtedness thus authorized and interest thereon," approved March 12, 1907, which said bonds shall be consecutively numbered and shall be substantially in the following form:

Form of
bond

No..... The County of Esmeralda, State of Nevada, for value received, promises to pay to....., or bearer, at the office of the treasurer of said county, in....., on or before the first day of....., 19.... (six (6) years after date, or at any time before that date and after one (1) year from the date hereof) at the pleasure of the county, the sum of..... (\$.....) dollars, in United States gold coin, with interest at the rate of..... (.....%) per cent per annum, payable at the office of the said treasurer semiannually on the first Mondays of July and January of each year, on presentation and surrender of the interest coupons hereto attached. This bond is issued by the county commissioners in conformity to a resolution of said board, dated the.....day of, 19...., and under authority conferred upon said

board by the provision of an act of the legislature of Nevada entitled "An act to authorize and empower the board of county commissioners of Esmeralda County to issue bonds for the purpose of creating a fund for liquidating and paying all outstanding indebtedness of said county, incurred by virtue of issuing bonds for Goldfield school district No. 4, under the provisions of an act entitled 'An act to enable the several school districts of the state to issue negotiable coupon bonds for the purpose of erecting and furnishing school buildings or purchasing ground or for refunding floating funded debts, and providing for the payment of the principal indebtedness thus authorized and the interest thereon,' approved March 12, 1907" (insert date of approval of this act).

SEC. 2. Whenever bonds issued under this act shall be duly executed, numbered consecutively and sealed, they shall be delivered to the county treasurer and his receipts taken therefor, and he shall stand charged on his official bond with all bonds delivered to him and with the proceeds thereof. The county treasurer, under the direction of the board of county commissioners, may exchange any of said bonds for the satisfaction of any indebtedness of said county incurred by virtue of issuing bonds for Goldfield school district No. 4, under the provisions of an act entitled "An act to enable the several school districts of the state to issue negotiable coupon bonds for the purpose of erecting and furnishing school buildings or purchasing ground or for refunding floating funded debts, and providing for the payment of the principal indebtedness thus authorized, and the interest thereon," approved March, 12, 1907, and said treasurer shall, when directed by the board of county commissioners, sell any portion of said bonds for money at not less than the par value thereof, the proceeds of such sale or sales to be applied exclusively to the payment, satisfaction, and discharge of said bonds of Goldfield school district No. 4.

County
treasurer
custodian of
bonds

SEC. 3. For the purpose of creating a fund for the payment of the bonds authorized by this act and the interest thereon, the board of county commissioners of said Esmeralda County is hereby authorized and empowered to levy and collect annually a special tax upon the assessed valuation of all property, both real and personal, subject to taxation, including the proceeds of mines, within the boundaries of said Goldfield school district No. 4, sufficient to pay annually at least 16 $\frac{2}{3}$ per cent of the bonds herein authorized to be issued, in addition to all taxes for other purposes, and the moneys arising from such assessment and levies shall be known as the "Redemption Fund, Goldfield School District No. 4 Bonds and Interest, Series 1907-1908," and shall be used only for the payment of such bonds and interest; *provided, however*, that if the amount of tax so levied upon the property within the boundaries of said Goldfield school district No. 4 shall at any time be insufficient to pay the interest

Special tax
for payment
and
redemption
of bonds

on said bonds, and provide for their retirement as proposed in this section, the board of county commissioners of said Esmeralda County is hereby authorized and required to levy a special tax on the assessed valuation of all property, real and personal, subject to taxation, including the proceeds of mines, within the boundaries of said Esmeralda County, and continue such levy from year to year to meet any deficit which may occur in the Goldfield school district No. 4 fund, and the faith and credit of Esmeralda County is hereby pledged to the prompt and ready payment of said bonds and the interest thereon according to the terms, conditions, and tenor thereof.

Redemption
fund =
established

SEC. 4. Whenever after one year after the date of said bonds the amount in the hands of the county treasurer belonging to said "Redemption Fund, Goldfield School District No. 4, Bonds and Interest, Series 1907 and 1908," after setting aside the sum required to pay the interest maturing before the next levy is sufficient to redeem five or more of said bonds, the county treasurer shall notify the county auditor and the presiding officer of the board of county commissioners of such fact, and thereupon the said three officers shall draw by lot from the full list of all the then outstanding bonds issued hereunder, the numbers and amounts of sufficient of said outstanding bonds to absorb the money in the bond fund available for and applicable to payment upon the principal of said bonds, but not exceeding in number sixteen and two-thirds ($16\frac{2}{3}\%$) per cent of the total number of bonds issued under this act, and thereupon the county treasurer shall give notice by registered letter, demanding a return receipt, addressed to the holders of said bonds of Esmeralda County, Nevada, and stating the number of bonds so drawn, and all interest thereon to the date of the next interest payment, stating said date, will be paid in full by the county treasurer at his office in Esmeralda County upon presentation of said bonds and all unpaid coupons pertaining thereto. Said notice shall be sent by the county treasurer to said bondholders sixty days prior to the date fixed for the payment of such bonds. On and after the date fixed in said notice the interest on said several bonds bearing the numbers so drawn and specified in said notice shall cease and the amount of money to pay, satisfy and discharge the same with interest to said date shall be set aside from all moneys in the hands of the county treasurer to be held for the payment of said bonds and interest when the same shall be presented.

Interest
ceases, when

If said bonds are not so presented, the interest thereon shall nevertheless cease. Upon presentation of said bonds and all unpaid coupons pertaining thereto, the county treasurer shall mark the same paid, and cancel, and thereupon make a complete record in his office of the transactions, and shall also furnish the county auditor and county commissioners with a full and detailed report of the transactions,

including a list of the bonds and coupons by him paid and canceled. All redemptions and payments of bonds so drawn for payment shall be made in the order of the said notice, and out of the funds so set apart by said county treasurer for such person.

SEC. 5. Bonds to be issued thereunder may be dated on the.....day of....., 19....., and settlements and exchanges of all existing valid evidences of indebtedness may be made and computed as of said date or upon any semi-annual interest date thereafter occurring. Bonds, how dated

SEC. 6. All acts and parts of acts in conflict herewith are hereby repealed. Repeal

CHAP. 72—*An Act to amend section 20 of an act entitled "An act to regulate railroads, telegraph, and telephone companies and other common carriers in this state, creating a railroad commission, constituting the governor, the lieutenant-governor, and the attorney-general a railroad board for the appointment and removal of the railroad commissioners, prevent the imposition of unreasonable rates, prevent unjust discrimination, insure an adequate railway service, and fixing maximum freight charges," approved March 5, 1907, and to repeal section 44 of an act entitled "An act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto," approved March 22, 1865.*

[Approved March 12, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 20 of the above-entitled act is hereby amended so as to read as follows:

Section 20. Every railroad company incorporated or doing business in this state, or which shall hereafter become incorporated or do business in this state shall, on or before the 15th day of March, 1917, and on or before the same day of each year thereafter, make and transmit to the commission in its office in Nevada, or such other person as the legislature by law directs, a full and true statement, under oath of the proper officer of such corporation, of the affairs of such corporation relative to the State of Nevada, for the year ending on the 31st day of December preceding, which statement for the State of Nevada shall be similar in character and detail to the annual report required to be made by railroad companies to the interstate commerce commission, and such other and further information as may be required by the commission. Railroads to report transactions annually to railroad commission
If any such railroad company shall neglect or fail to comply with the requirements of this act and shall fail to make, execute and return the reports hereby required of it by such demand of the state railroad commission of Nevada for more Penalty for neglect

Attorney-general to prosecute delinquent railroads

than thirty days after the first day of April in each year, said railroad company shall be liable for, and shall forfeit and pay to the State of Nevada for such neglect, a penalty of twenty thousand dollars. And it shall be the duty of the attorney-general of the state to commence an action in the name of the State of Nevada for the recovery of such penalty, and the court shall render judgment therefor against such company and such action shall not be dismissed or compromised except upon the full payment of the sum of such penalty, together with all costs of such action, and execution shall issue against the property of such company until such judgment shall be fully satisfied.

Certain section repealed

SEC. 2. Section 44 of an act entitled "An act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto," approved March 22, 1865, including that portion thereof which appears in the "Revised Laws of Nevada, 1912," numbered and subheaded "3556. Idem—Failure of Secretary of State to Furnish Forms — Penalty (Sec. 2)," is hereby repealed.

CHAP. 73—*An Act providing for the vacation of portions of city and town plats.*

[Approved March 13, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Vacation of town plats or portions of same for school or public improvements

SECTION 1. Any owner or owners of platted land in an incorporated city may make application in writing to the city council of the city wherein such land is situated for the vacation of the portion of the plat so owned by him or them, together with such portion of any and all streets, alleys and public ways as adjoin or abut the same, for public school, high school, or other public improvements, but for no other purposes. Such application shall particularly describe the portion of the plat and of the streets, alleys and public ways, sought to be vacated and shall be signed by the applicant or applicants. A copy of such application shall be published at the expense of the applicant or applicants in a newspaper of general circulation published in such city, at least once a week for three successive weeks, which said publication shall be deemed due and sufficient notice to all persons interested of the nature and purpose of such application. Upon the filing of such application and proof of publication with the city clerk, the city council shall, at its next regular meeting, proceed to hear, consider and dispose of the same, and if the said city council be satisfied that neither the public nor any person will be materially injured thereby, it shall order such portion of said plat, streets, alleys and public ways vacated in accordance with such application, a certified copy

Application to be published

City council to act

of which order shall be duly recorded in the office of the recorder of the county wherein such land is situated.

SEC. 2. Any person claiming material injury by any order so made by the city council may at any time within sixty days after the date of such order commence an action in the district court having jurisdiction to have such order set aside.

Person
injured may
begin action

SEC. 3. This act is intended to supplement, and not to supersede, the existing laws relating to the vacation of city and town plats.

To
supplement
existing laws

CHAP. 74—*An act to amend an act entitled "An Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto," approved March 22, 1865, by adding an additional section thereto, to be known as section 17½.*

[Approved March 18, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. An act entitled "An act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto," approved March 22, 1865, is hereby amended by adding an additional section to be known as section 17½, which shall read as follows:

Section 17½. (a) That any railroad corporation, organized and existing under any of the laws of this state governing such corporation, may at any time before the expiration of the time limited for its existence, extend the term of its existence beyond the time specified in its original articles of incorporation, for any period of time, or perpetually; together with all its rights, privileges, and immunities, and subject to all its existing debts, obligations and liabilities and duties imposed by its existing charter, or amendments thereto, or by the law under which it was organized, or acts amendatory thereof, or supplemental thereto, or by any law of this state applicable to such corporation by filing a certificate of such extension with the secretary of state, duly sworn or affirmed to by the president and secretary of such corporation before any person authorized by the laws of this state to administer oaths or affirmations, or before any notary public; which certificate must be authorized by two-thirds in interest of the stock in writing, or by a resolution to that effect passed at any regular meeting or special meeting of the stockholders called for that purpose, voting either in person or by proxy, such meeting to be called as provided by law, or the by-laws of such corporation; such certificate shall set forth:

Railroad
corporation
may extend
period of
existence by
filing
certificate
with
secretary of
state

What
certificate
must
contain

1. The name of the corporation, which shall be the existing name of such corporation at the time of such extension.

2. The name of the city, town or place within the county in which its principal office or place of business is located in this state.

3. The date when such extension is to commence, which date shall be prior to the date of the expiration of the charter desired to be extended, and whether or not such extension is to be perpetual, and if not perpetual the time when such extension is to continue.

4. That the corporation desiring to extend and so continue its charter, is duly organized and carrying on the business authorized by its existing charter and amendments thereto, if any, and desires to extend and continue its existence pursuant to and subject to the provisions of the act under which it was incorporated, and acts amendatory thereof, supplemental thereto, or applicable to such corporation.

Certificate
filed with
secretary of
state and
clerk of
county of
principal
place of
business

(b) Such certificate for the extension of the existence of any such corporation shall be filed in the office of the secretary of state, and he shall furnish a certified copy of same under his hand and seal of office; such certified copy shall be filed in the office of the clerk of the county in which the principal office of such corporation is located in this state, and recorded in a book kept for that purpose, or in a book provided for recording original articles of incorporation; and such certificate or a certified copy thereof duly certified under the hand of the secretary of state and his seal of office, accompanied with the certificate of the clerk of the county wherein the same is recorded, under his hand and seal of office, stating that it has been recorded, the record of the same in the office of the clerk aforesaid, or a copy of such record duly certified, or a copy of such record duly certified by the clerk aforesaid, shall be received as evidence in all courts of law and equity in this state.

Fees for
filing
certificate

(c) For filing such a certificate of extension in the office of the secretary of state and county clerk there shall be paid to the secretary of state, for the use of the state, five cents for each one thousand dollars of capital authorized, as set forth in the original articles of incorporation; and to the county clerk for filing and recording such certificate, the sum of five dollars.

Corporation's
rights,
privileges,
etc.

(d) Any such corporation now existing or hereafter incorporated, desiring to extend its corporate existence, shall, upon complying with the provisions of subdivisions a, b, and c of this section, be and continue a corporation for the time stated in its certificate of extension, and shall, in addition to the rights, privileges and immunities conferred by its original charter, possess and enjoy all the benefits of the laws of this state which are applicable to the nature of its business, and shall be subject to the restrictions, liabilities and obligations applicable thereto.

(e) It shall be the duty of all corporations enjoying the benefit of this act and all other acts chartering or franchising any corporation affected with a public use, to render an efficient and adequate service to the public, carry out all the provisions of its charter or franchise, promptly construct its system or plant or additions thereto in compliance with law, and to reconstruct or rebuild the same in whole or in part whenever necessary in order to render a safe, efficient and adequate service to the public.

Corporation must render adequate service to public

CHAP. 75—*An Act to amend an act entitled "An act to amend an act entitled 'An act to amend section nineteen as amended March 26, 1915, of an act entitled an act to incorporate the town of Sparks, in Washoe County, and defining the boundaries thereof, and to authorize the establishing the boundaries thereof, and to authorize the establishing of a city government therefor, and other matters relating thereto,' approved March 15, 1905," approved March 26, 1915.*

[Approved March 13, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section nineteen of the act entitled "An act to incorporate the town of Sparks, in Washoe County; and defining the boundaries thereof," approved March 15, 1905, approved March 26, 1915, is hereby amended to read as follows:

Amending charter of town of Sparks

Section 19. The city council shall have the power:

First—To fix the place of its meetings and the time for calling same to order, and to judge of the qualifications and election of its own members.

Powers and duties of city council of Sparks

Second—To make and pass all ordinances, resolutions, and orders not repugnant to the constitution of the United States or the State of Nevada, or to the provisions of this charter, necessary for the municipal government and the management of the city affairs, and for the execution of all the powers vested in said city, and for making effective the provisions of this charter.

Third—To levy and collect, annually, a tax of not to exceed one per cent upon the assessed value of all real and personal property within the limits of the city, and which is by law taxable for state and county purposes.

Fourth—To sell, lease, control, improve, and take care of the real estate and personal property of the city; *provided*, said council shall not have power to mortgage, hypothecate, or pledge any property of the city for any purpose.

Fifth—To lay out and extend, change the grade, open, vacate, and alter the streets and alleys within the city, and may order, require, and provide for macadamizing, oiling, curbing, graveling, grading and regrading, paving, draining,

Powers and
duties of
city council
of Sparks

cleaning, repairing, lighting, surfacing, and widening of any highway, street, or alley, or in any way improving such highway, street, or alley; also to provide for the improvement and preservation of the city parks and the construction, repair, and preservation of all sidewalks, crossings, bridges, drains, curbs, gutters, and sewers; to prevent and remove any nuisance or obstruction or unlawful or unauthorized use of any street, alley, or sidewalk, crossing, bridge, drain, gutter, or sewer in the said city, and to provide for the numbering of the houses therein; *provided further*, that the city shall have the power by ordinance to compel any and all owners, firms, associations, partnerships or corporations who own or control any ditch or drain within the said city to remove all rubbish and other matter from said ditch or drain at least twice a year, such removal to be done without expense to the city, but according to said city ordinances relating thereto.

Whenever the city council shall determine to make any public construction, improvement, or repairs in the laying of pavements, sidewalks, courts, parks, ditches, drains, sewers or rights of way, or any portion thereof, and defray the whole or any part of the expense thereof by special assessment upon the lands and premises fronting on or benefited by such improvement, the city council shall first pass a resolution of intention so to do, referring to the street by its official name, or the name by which it is commonly known, and briefly describing the work or improvements proposed. Said resolution of intention shall be published twice in some daily, semiweekly, triweekly or weekly newspaper published and circulated in the city and designated by said council for that purpose.

The city council may include in one proceeding, under one resolution of intention, and in one contract, any of the different kinds of work mentioned in this act, and any number of streets and rights of way or portions thereof, and it may except therefrom any of said work already done upon a street to be the official grade. The lots and portions of lots fronting upon said excepted work already done shall not be included in the frontage assessment for the class of work from which the exception is made.

Within one day after the adoption of the resolution of intention the city clerk shall cause to be posted along the line of the contemplated work or improvement at least three notices headed "Notice of Improvement," in letters of not less than one inch in length; the said notices shall state the fact of the passage of the resolution of intention, its date, and briefly describe the work or improvement proposed, and refer to the resolution of intention for further particulars, and record and proof of such posting shall be made a part of the record of the proceedings.

At any time within ten days from the date of the second publication of the resolution of intention any owner of or

person having an interest in property liable to be assessed for said work or improvement may make written protest against the proposed work or improvement being done. Such protest shall be in writing and delivered to the city clerk, who shall immediately mark the date of the filing thereon.

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duties of
city council
of Sparks

At the next regular meeting of the council after the expiration of the time within which any such protest or protests may be made, the city council shall proceed to hear and pass upon all protests so made, and its decision shall be final and conclusive; *provided, however*, should protests be made by a majority of the property owners along the line of the proposed work or improvement, such majority protest or protests shall be deemed to work a recession of the resolution of intention, and the city council will proceed no further in said proceedings. The council may adjourn the hearing from time to time.

When no protests have been delivered within the time allowed by the notices above provided, or when a protest or protests filed have been found to be insufficient, overruled, or denied by the city council, immediately thereupon the city council shall be deemed to have acquired jurisdiction to order the proposed work or improvement.

Before passing any resolution for the construction of any work or improvement provided for in this act, plans and specifications and careful estimates of the costs and expenses thereof shall be furnished, and the council is authorized to employ a competent engineer for such purposes.

Before awarding any contract by the city council for doing any work or improvement authorized by this act, the council shall pass a resolution ordering the work or improvement to be made.

Notice shall be posted for five days at or near the council chamber doors inviting sealed bids for the doing of said work, which notice shall also be published at least twice in some newspaper published and circulated within said city.

Such notices shall fix a day for the opening of bids, which shall not be less than ten days from the first publication of the notices calling for bids, and refer to specifications filed with the city clerk.

Each bid shall, on or before the day fixed for opening bids, be filed with the city clerk and shall be accompanied by a check payable to the city, certified by a responsible bank, for an amount not less than ten per cent of the aggregate of the bid, as security that the successful bidder will enter into the contract to perform the work, and in the event of his failure or neglect to enter into such contract such check shall be forfeited to the city.

The city council may reject any and all proposals or bids, should it deem this for the public good, and may readvertise, at any time within six months from the date of the resolution of intention, for further bids, as in the first instance,

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duties of
city council
of Sparks

without further proceedings, and thereafter proceed in the manner herein provided.

Within ten days after notice of the award the bidder whose bid is accepted must enter into a contract, and if he neglects or fails to do so the city council may, in these proceedings, again advertise for bids as in the first instance.

Every contractor to whom is awarded any contract under the provisions of this act shall, before the execution of the contract, tender to the mayor a good and sufficient bond for his approval, in a sum of not less than one-half of the total amount of the contract, and conditioned for the faithful performance of the contract in strict compliance with the terms binding the contractor, which shall be filed in the office of the city clerk. The contract shall be in writing and shall fix the time for the commencement and completion of the work, which work shall be prosecuted with diligence from day to day to completion, which time of completion shall only be extended by the consent of the city council. The work in all cases must be done under the direction and to the satisfaction of the city council, or to the street superintendent or overseer appointed by the council to see that work and materials used comply with the specifications for the said work, and all contracts entered into under the provisions of this act must contain a provision that in no case will the city or any officer thereof be liable under the contract, nor for any delinquency of persons or property assessed.

Upon the letting of the contract the city council shall cause to be made an assessment to cover the sum of the contract price (including all incidental expenses of these proceedings, including publication and fees of the engineer employed), which assessment shall briefly refer to the contract and the work contracted, and the amount of the contract, together with all incidental expenses, the amount of each assessment, the name of the owner of each lot or portion of a lot fronting on or benefited by the improvement (if known); if unknown, the word "unknown" shall be written opposite the number of the lot.

When the contractor has fulfilled his contract to the satisfaction of the city council, and shall have paid into the city treasury of the city the said incidental expenses of the proceedings, the city clerk shall attach to the said assessment a warrant signed by the mayor and countersigned by the city clerk, with the seal of the city attached.

The said warrant shall be substantially in the following form:

(Form of Warrant)

By virtue hereof, I,, the mayor of the city of Sparks, county of Washoe, State of Nevada, by virtue of the authority vested in me, do authorize and empower(name of contractor) (his or their) agents

or assigns to demand and receive the several assessments against the property herein described, and this shall be his (or their) warrant for the same. Powers and duties of city council of Sparks

(SEAL)

Mayor of the City of Sparks.

....., City Clerk of the City of Sparks.

Where demand cannot be made personally upon the owner of any of the premises, or his agent, for any cause within the city or where the owner is unknown, the contractor shall publicly demand payment on the premises assessed.

Whenever payment is made on the assessment against any lot or portion thereof, the contractor shall give the person paying it a written receipt describing the lot and premises, and mark upon the assessment opposite such lot or premises described "Paid" and the date thereof.

Within thirty days after the contractor has received the said assessment, he shall return to the city clerk the said assessment, showing each payment of the respective assessments as above provided, which return shall be verified by the contractor or some one in his behalf, and in effect that no payments other than those marked "Paid" upon the assessment have been made.

The city clerk shall record the said return immediately under the following record of assessment, and may receive and receipt for any assessment which shall appear unpaid at any time before suit is brought to recover the same.

The said warrant and assessment shall be recorded in the office of the city clerk in a book kept for recording special assessments of the city of Sparks, and also in the office of the recorder of Washoe County, and there shall be no fee for recording the same.

When so recorded the several amounts assessed shall be a lien upon the lots or portions of lots and premises respectively for a period of one year from the date of recording unless sooner discharged; and from and after the date of said recording all persons shall be deemed to have notice of the contents of the record thereof and of the respective liens against said lots and premises.

Immediately after the said recording the city clerk shall deliver to the contractor, his agents or assigns, the original assessment with the warrant attached who shall be authorized to demand and receive the amounts of the several assessments made to cover the sums due for the work specified in such contract and assessment with the said incidental expenses incurred.

At any time within one year after the said return has been recorded, the contractor or his assigns may commence suit against the owner of any lot upon which the assessment has not been paid for the collection of such assessment and the foreclosure of the said lien upon the said lot and premises, and where the owner or owners of more than one lot are

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city council
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identical a single action may be brought for the recovery of the assessment irrespective of the number of lots assessed.

The court having jurisdiction in all actions for the foreclosure of the lien of any assessment provided by this act shall, in addition to other costs, allow a reasonable attorney's fee to the plaintiff in such action.

The said assessment and warrant with the affidavit of demand and nonpayment shall be *prima facie* evidence of all the proceedings of such assessment and like evidence of the right of the plaintiff to recover in the action.

It shall be lawful for the owner or owners of lots and premises liable to assessment to perform at his or their expense any improvement proposed, by obtaining permission from the city council at any time before the letting of the contract.

Sixth—To organize, regulate, maintain, and disband a fire department; to provide for the extinguishment of fire; to regulate or prohibit the storage of gunpowder or other explosives or combustible or inflammable material within, or transported through the city, and to prescribe the distance from said city where the same may be stored, held, or kept.

Seventh—To determine by ordinance what shall be deemed nuisances, and to provide for the abatement, prevention, and removal of the same, at the expense of the parties creating, causing, or committing such nuisances, and to provide for the penalty and punishment for the same.

Eighth—To provide for safeguarding the health of the city. For this purpose, the council, with the mayor, who shall be president of the board, shall act as a city board of health, and the council may by ordinance prescribe its duties and powers. The council may elect a secretary of the board of health, who shall be the health officer of the city and have full power as such over all matters pertaining to health and sanitary matters. The board of health may be empowered, among other things, to inspect all meats, poultry, fish, game, bread, butter, cheese, milk, lard, eggs, vegetables, flour, fruits, meal, and all other food products offered for sale in the city, and to have any such products as are unsound, spoiled, unwholesome, or adulterated summarily destroyed.

Said board shall have power to make all needful regulations for the preservation of the health and suppression of disease, and to prevent the introduction of contagious, infectious, or other diseases into the city; to make quarantine laws and regulations, and the city council shall have power to enforce the same by providing adequate penalties for violations thereof.

The council may erect or otherwise acquire a pest house, temporarily or permanently, at such distance from the city limits as it shall deem practicable, and the health officer shall have the power to establish temporarily pest house or pest houses in the case of emergency or epidemics.

The council may by ordinance prescribe a salary for the health officer, but such salary, when fixed, shall not be changed so as to increase the same oftener than once every two years, except temporarily during the period of an emergency caused by dangerous epidemic or the like.

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city council
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Ninth—To fix, impose, and collect a license tax on, and to regulate all trades, callings, professions and business, conducted in whole or in part within the city, including all theaters, theatrical or melodeon performances, and performances of any and every kind for which an admission fee is charged, or which may be held in any house, place, or inclosure where wines, spirituous, malt, and vinous, or intoxicating liquors are sold or given away; circuses, shows, billiard tables, pool tables, bowling alleys, and all exhibitions and amusements; to fix, impose, and collect a license tax on and regulate all taverns, hotels, restaurants, saloons, eating-houses, lunch counters, barrooms, lodging-houses, accommodating four or more lodgers; bankers, brokers of every and all kinds, manufacturers, livery stables, express companies, telegraph and telephone companies, street-railway companies, operating in whole or in part within said city. To fix, impose, and collect a license tax on and regulate auctioneers and stock-brokers. To fix, impose, and collect a license tax on, regulate, prohibit, or suppress all tippling houses, dram shops, saloons, bars, barrooms, raffles, hawkers, peddlers, except those dealing in their own agricultural products of this state.

To fix, impose, and collect a license tax on, regulate, prescribe the locations of or suppress all saloons, barrooms, gambling games, places where intoxicating liquors are sold or given away, street fakirs, street peddlers, except as above stated, fortune tellers, mediums, astrologers, palmists, clairvoyants, and phrenologists, pawn shops, pawn brokers, refreshment or coffee stands, booths and sheds. To prohibit and suppress all dog fights, prize fights, cock fights, bear, bull, or badger baits, sparring and sparring contests and exhibitions.

To fix, impose, and collect a license on, regulate, prohibit or prescribe the location of gambling and gaming houses, gambling and gaming of all kinds, faro, and all games of chance; houses of ill-fame, hurdy-gurdy houses, bawdy houses, and any and all places where persons resort to for lewd or lascivious purposes, or purposes of lewdness or prostitution, including dance houses having special attractions such as music or otherwise. To fix, impose, and collect a license tax on and regulate all lawful professions, trades, callings, and business whatsoever, including grocers, merchants of every, any, and all kinds, trades and traders, hotels, butcher shops, slaughter-houses, wood and fuel dealers, coal dealers, sewing-machine agents, marble or stone dealers, saddle and harness makers, cigar stores, cigar manufacturers,

ance in office, and on conviction thereof shall be removed therefrom.

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Seventeenth—To control, enlarge, or abolish cemeteries, and to sell or lease lots therein; to control and regulate the interments therein, and to prohibit them within the city limits, and to prescribe the distance from said limits where the same may be located.

Eighteenth—To establish, lay out, and to change fire limits, and to regulate or prevent the erection or repair of wooden buildings herein; to regulate and prescribe the material to be used in the construction of buildings and sheds in such limits; and regulate, prescribe, or prohibit awnings, porches, signs, placards, or bill boards over sidewalks or cross streets, and to regulate the same throughout the city.

Nineteenth—To provide by ordinance for a supplemental registration of all persons possessing the requisite qualifications of voter in said city, and whose names do not appear on the official register of voters in said city for the last preceding general election; such registration to be held every two years before the police judge and conform as nearly as possible with the requirements of general laws governing registration of persons for general elections; *provided*, that no such supplemental registration shall be taken later than thirty days preceding any regular city election.

Twentieth—To provide and maintain a city prison and to provide for the guarding, safe keeping, care, feeding, and clothing of the city prisoners.

Twenty-first—To prevent or regulate the running at large within the city, of any poultry, hogs, sheep, goats, swine, horses, cows, or other animals; to establish a pound and to authorize the impounding, sale, or destruction of any animals or fowls found running at large.

Twenty-second—To regulate or prohibit the use of steam boilers; the location of telegraph, telephone, electric-light and other poles and suspension thereon of wires, and the construction of entrances to cellars and basements from sidewalks.

Twenty-third—To prevent and regulate the erection or maintenance of insecure or unsafe buildings, walls, chimneys, stacks, or other structures; to prescribe the manner of construction and location of drains and sewers; to lay out, change, and create sewer districts; to require connections with sewers; to require owners or lessees of public buildings or buildings used for public purposes, including hotels, dancing halls, theater buildings to place in or upon same fire escapes and appliances for protection against and the extinguishment of fire; to prevent the construction and cause the removal of dangerous chimneys, stove pipes, ovens, and boilers, and to prevent the depositing of sewer filth, offal, manure, or other offensive matter within the city; to prevent the depositing of ashes, rubbish, shavings, or any com-

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bustible material in unsafe places; to regulate and compel the cleaning, at the expense of the person in possession or responsible therefor, of all nauseous matter, filth, accumulated rubbish, or debris; to compel the abating of nauseous, stinking, or foul privy vaults.

Twenty-fourth—To regulate the entrance to and exit from theaters, lecture-rooms, public halls, and churches, and the number and construction of such entrances and exits, and to prohibit the placing of chairs, stools, or benches in, or crowding or otherwise obstructing the aisles, entrances or exits of such places.

Twenty-fifth—To regulate and control the construction and maintenance of any tubes, pipes, or pipe lines, ditches, signal bells, warning signs, and other electric, telegraph, and mechanical appliances, in, along, over, under, and across the streets and alleys; *provided*, that no such appliances shall be placed so as to interfere with the fire-alarm system, or extinguishment of fires, or permanently with the free use of the streets, sidewalks, or alleys.

Twenty-sixth—To require every railroad and street railway company to keep the streets in repair, between the tracks and along and within the distance of at least two feet upon each side of the tracks.

Twenty-seventh—To require upon such notice as the council may direct, any noxious or offensive smell, filth, or debris to be abated, removed, or otherwise destroyed, at the expense of the person or persons causing, committing, or responsible therefor, and the council, in like manner, may require or cause any lots or portion of lots covered by stagnant water for any period to be filled up to such level as will prevent the same from being so covered, and may assess the costs of filling upon such real estate, and provide that it shall be a lien thereon, in which case said lien shall be enforced as in other cases herein provided for.

Twenty-eighth—To provide for and regulate the manner of weighing all food products and food stuffs, and hay, grain, straw, and coal, and the measuring and selling of fire-wood and all fuel within the city, and to provide for seizure and forfeiture of such articles offered for sale which do not comply with such regulations, and to examine, test, and provide for the inspection and sealing of all weights and measures throughout the city and enforce the keeping by traders and dealers of proper weights and measures duly tested and sealed, and by ordinance provide a penalty for the using of false weights or measures.

Twenty-ninth—To restrain and punish vagrants, drunkards, disorderly persons, common prostitutes, mendicants, street beggars, and lewd persons; to suppress and abolish houses of assignation, or places resorted to by persons for the purpose of prostitution or immoral purposes; to prevent diseased, maimed, injured, or unfortunate persons from dis-

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playing their infirmities for the purpose of receiving alms, and to prevent and punish drunkenness, obscene language or conduct, indecent exposure of person, loud and threatening or lewd or obscene language, or profane language in the presence or hearing of women or children, and all obnoxious, offensive, indecent, and disorderly conduct and practices within the city; to prevent and punish the discharging of fire arms within the city; the lighting of fires in yards, streets, or alleys, or other unsafe places, or anywhere within the city; to prevent and punish fast horseback riding, or the riding, or breaking to drive, of wild or unmanageable horses in the city; to require that all horses when left standing shall be hitched to post or weight; to prescribe the length of time horses may be left tied, hitched, or otherwise in the city.

Thirtieth—To regulate the sale and use of water, gas, electric, and other lights in the city; to fix and determine the price thereof, as well as the rental price of all water, and gas, and electric-light meters in the city, and to provide for the inspection of such meters; to regulate telephone service and the use of telephones, and to fix and determine the charges for telephones, telephone service, and connections within the city.

Thirty-first—To regulate lodging, tenement, and apartment houses having four or more lodgers; to prevent the over crowding of the same, and to require the same to be kept in a sanitary condition.

Thirty-second—To adopt and enforce, by ordinance, all such measures and establish all such regulations, in case no express provision is in this charter made, as the council may from time to time deem expedient and necessary for the promotion and protection of health, comfort, safety, life, welfare, and property of the inhabitants of said city, the preservation of peace and good order, the promotion of public morals, and the suppression of vice in the city, and to pass ordinances upon any other subject of municipal control, or to carry into force or effect any other powers of the city, and to do and perform any other duty, every, and all other acts and things necessary for the execution of the powers conferred or which may be necessary to fully carry out the intent, purposes, and object thereof.

Thirty-third—To select, appoint, and employ an engineer, surveyor, architect, or other skilled mechanic or person from time to time, whenever in the judgment of the council it shall be necessary or expedient, for the purpose of preparing plans for, or supervising the construction of or directing any public work; the salary or compensation, duties and responsibilities of such person to be fixed, determined, and fully defined by ordinance.

Thirty-fourth—To prescribe fines, forfeitures, and penalties for the breach or violation of any ordinance, or of any provisions of this charter, but no penalty shall exceed the

amount of five hundred dollars or six months' imprisonment, or both such fine and imprisonment.

Thirty-fifth—To require of and prescribe the amount and conditions of official bonds from the members of the council and all officers of the city, whether elective or appointive.

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Thirty-sixth—To institute and maintain any suit or suits, civil or criminal, in the name of the city, in the proper courts, whenever necessary, in their judgment, to enforce or maintain any right of the city, and they may, in like manner, defend all actions against the city; to institute and maintain any suit against any property owner refusing or neglecting to pay, as assessed by the council, his ratable proportion of the costs of paving, grading, or otherwise improving any street or building, any sidewalk or other improvement which benefits such property or owner thereof.

Thirty-seventh—To hold, manage, use, and dispose of all real and personal property of the city, and to enforce the payment and collection of all dues and demands of every nature or kind, belonging or inuring to the city, but no sales of property shall be made until after it shall have been appraised by three appraisers, residents and taxpayers of the city, at the actual market value, nor shall it be sold for less than seventy-five per cent of such appraised value; *provided*, that no park or property acquired for park purposes shall be sold or in any manner disposed of.

Thirty-eighth—Any property, real or personal, necessary or required for the public use of the city may be condemned and appropriated in the manner now prescribed by law and all rights of eminent domain may be exercised by the city in relation thereto.

Thirty-ninth—Nothing herein contained shall be construed as authorizing or permitting the opening or extension of any street across or upon the lands within the boundaries of said city of Sparks occupied for railroad purposes by the Central Pacific railway company, or the Southern Pacific company, their successors or assigns, said lands being particularly described as follows, to wit:

Tract for railroad purposes exempt from opening for streets, etc.

Commencing at a point which is the section-corner common to sections Nos. 4, 5, 8, and 9, township 19 north, range 20 east, Mount Diablo base and meridian, and running thence westerly along the north boundary line of said section No. 8, a distance of two hundred and forty-three (243) feet, more or less, to the northeastern corner of the townsite of Sparks, as shown on the townsite map recorded in the office of the county recorder of Washoe County on April 25, 1904, at request of the Southern Pacific company; running thence from said corner southerly at right angles along the eastern boundary line of said townsite of Sparks a distance of four hundred and twenty (420) feet to the southeast corner of said townsite of Sparks; thence at right angles westerly along the south boundary line of the said townsite of Sparks

Tract for
railroad
purposes
exempt from
opening for
streets, etc.

parallel with and distant four hundred and twenty (420) feet from the north boundary line of said section No. 8, a distance of twenty-three hundred and sixty-three (2,363) feet, more or less, to a point in the west boundary of the northeast quarter of said section No. 8, said point being also the southwest corner of the said townsite of Sparks; thence south along west boundary of the northeast quarter of said section No. 8, a distance of three hundred and forty-five (345) feet, more or less, to a point distant sixty-five (65) feet at right angles northerly from the center line of the reconstructed line of the Central Pacific railway as located and constructed; thence westerly to the right with an angle of 82 degrees and 24 minutes and parallel with and distant sixty-five (65) feet at right angles northerly from said center line, a distance of one thousand and twenty-five (1,025) feet, more or less, to a point on the east line of Elm street; thence at right angles southerly along the said easterly line of Elm street and crossing the said center line of the reconstructed Central Pacific railway at or near engineer survey station No. 66 plus 80, a distance of three hundred and five (305) feet to a point; thence at right angles easterly two hundred (200) feet to a point; thence at right angles southerly one hundred and sixty (160) feet to a point which is distant four hundred (400) feet at right angles southerly from the center line of the said reconstructed Central Pacific railway; thence at right angles easterly parallel with and distant four hundred (400) feet at right angles southerly from said center line, a distance of eight hundred and eighty-eight (888) feet, more or less, to a point in the said west boundary of the southeast quarter of said section No. 8; thence southerly along said quarter-section line a distance of eighty-five (85) feet, more or less, to the southwest corner of the north one-half of the northeast quarter of said section No. 8; thence east along the south boundary of the said north one-half of the northeast quarter of section No. 8 and the south boundary of the north half of the northwest quarter of section No. 9 of said township and range, a distance of three thousand four hundred and sixty-five (3,465) feet, more or less, to a point distant fifty (50) feet, southerly at right angles from the said center line of the reconstructed Central Pacific railroad; thence southeasterly parallel with said center line and distant at right angles fifty feet therefrom, a distance of eighteen hundred and twenty-five (1,825) feet, more or less, to a point on the east boundary line of northwest quarter of said section No. 9; thence north along said quarter-section line and crossing the said center line at engineer survey station No. 130 plus 33.15, a distance of one thousand and sixty-two (1,062) feet, more or less, to a point; thence at right angles westerly a distance of three hundred and fifty (350) feet to a point; thence northerly and parallel with

the east line of said northwest quarter of section No. 9, four hundred and ninety-five (495) feet to a point in the north line of said section No. 9, township 19 north, range 20 east, M.D.M; thence west along said north line of said section No. 9, a distance of twenty-three hundred and eleven (2,311) feet, to the point of beginning, said parcel of land being all in said sections 8 and 9, township 19 north, range 20 east, Mount Diablo base and meridian.

CHAP. 76—*An Act to amend sections 7 and 10 of article XII of an act entitled "An act to incorporate the town of Reno, and to establish a city government therefor," approved March 16, 1903, as amended March 13, 1905, and further amended on March 28, 1907, March 24, 1909, March 31, 1909, February 1, 1911, March 10, 1911, March 18, 1911, March 24, 1913, March 25, 1913, February 26, 1915, and March 22, 1915.*

[Approved March 13, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 7 of article XII of the above-entitled act is hereby amended so as to read as follows: Amending
Reno charter

Section 7. The style of ordinances shall be as follows: "The City Council of the City of Reno do ordain," and all proposed ordinances, when first proposed, shall be read aloud, in full, to the city council, and then laid over until the next regular meeting for adoption or rejection. All ordinances shall be signed by the mayor and be published in full, together with the votes cast thereon, in some daily newspaper published in the city, for the period of at least one week, before the same shall go into effect, except as provided in section 10, subdivision second, article XII, of this charter. Ordinances
must be
published in
daily
newspaper

In all prosecutions for violation of any of the provisions of this charter, or for the violation of any city ordinance, rule, resolution, or other regulation of the city council, whether in the court of original jurisdiction or in any appellate court, it shall not be necessary to plead the contents of the same, but the court before which the proceedings may be pending shall take judicial notice of this charter, and of such ordinance, rule, resolution, or other regulation, and of the contents thereof; and in all civil actions to which the city, or any officer of the city, is party, either plaintiff or defendant, the adoption and contents of any ordinance, rule, resolution, or other regulation of the city council may be proven *prima facie* by the introduction of the original entry thereof on the records of the council, or copy thereof certified by the city clerk, to be a full, true and correct copy of such original entry, or by the introduction of a printed

copy published or purported to have been published by authority of the city council.

SEC. 2. Section 10 of article XII of the above-entitled act is hereby amended so as to read as follows:

Section 10. The city council, among other things, shall have power:

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First—To fix the place of its meetings and the time for calling same to order, and to judge of the qualifications and election of its own members.

Second—To make and pass all ordinances, resolutions, and orders, not repugnant to the constitution of the United States, or of the State of Nevada, or to the provisions of this charter, necessary for the municipal government and the management of the city affairs, for the execution of all the powers vested in said city, and for making effective the provisions of this charter, and to cause to be compiled from time to time, not to exceed once in every two years, the charter and its amendments and the ordinances of the city of Reno in book or pamphlet form, of which not less than two hundred (200) copies shall be issued for general distribution within said city, at a reasonable price, in which said compilation the ordinances of the said city once passed and published or posted as provided in section 7 of this article may be repealed, revised, amended, and validated without further publication.

Third—To levy and collect annually for general purposes a tax of not to exceed three-quarters of one per cent upon the assessed value of all real and personal property within the city and which is by law taxable for state and county purposes; and in addition thereto to levy and collect annually a tax of not to exceed one-quarter of one per cent upon the assessed value of all real and personal property within the city, which is by law taxable for state and county purposes, to provide a fund for the payment of the interest on the bonds of the city outstanding, and that may be lawfully issued and sold hereafter, and to provide a fund for the payment of the principal of such bonds, and for the redemption thereof as they shall mature, and for no other purpose; *provided*, that all moneys now held in any special fund not herein provided for may be transferred to the general fund of the city.

Fourth—To sell, use, lease, improve, hold, and take care of the real estate and personal property of the city; *provided*, the city council shall not have power to mortgage, hypothecate, or pledge any property of the city for any purpose.

Fifth—To lay out, extend, change the grade, open, vacate, and alter the streets and alleys within the city, and by ordinance require and provide for the macadamizing, oiling, curbing, graveling, grading and regrading, paving, draining, cleaning, repairing, lighting, surfacing and resurfacing and

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widening any highway, street, or alley, or otherwise improving same; also to provide by ordinance the improvement and preservation of the city parks, and the construction, repair, and preservation of sidewalks, crossings, bridges, drains, curbs, gutters, and sewers; for the prevention and removal of obstructions from the streets and sidewalks of the city; and to regulate and prohibit the placing of signs, awning posts, show windows, and other things upon and over the sidewalks, and regulate and prohibit the construction and use of openings in the streets and sidewalks, and all vaults, structures, and excavations in and under the same, and to prevent, prohibit, and remove all obstructions and nuisances upon the sidewalks, streets, and alleys within the city limits; and for that purpose and for the purpose of defraying the the expense thereof, may divide the city into districts. Such part of the expenses of improving any streets, lanes, avenues, or alleys by grading, paving, graveling, curbing, constructing sidewalks, or otherwise improving the same, as the city council shall determine, may be paid from the general fund, street fund or district street fund, from the proper street district, or the said cost, or a portion thereof, as the city council shall determine, may be defrayed by special assessments upon lots and premises fronting upon that part of the street or alley so improved or proposed so to be, or the lands fronting upon such improvement and such other lands as in the opinion of the city council may be benefited by the improvement. When the city council shall determine to make any public improvements, such as laying pavements, constructing sewers, drains or sidewalks and curbing, macadamizing, oiling, graveling, or grading any streets or alleys, or in any way improving the same, and defrays the whole or any part of the costs or expenses thereof by special assessment, they shall so declare by ordinance, stating the improvements and what part or portion of the expenses thereof shall be paid out of the general fund, street fund, district street fund or any other fund. When expenses for such improvements or repairs shall be assessed, and there shall be lands belonging to the city, school buildings, or other public building or public grounds not taxable, fronting on such improvements, such part of the expense of such improvement as in the opinion of the city council, or assessor making such special assessment would be justly apportionable to such public grounds, buildings, and city property, and to any interior, squares or spaces formed by the intersection of streets where they are taxable, shall be paid from the general fund, or from the proper street or district street fund, or part from each, as the city council shall determine to be just, and the balance of such expense shall be assessed upon the taxable lots and premises fronting upon such improvement or improved streets, in proportion to their number of feet frontage; or, if the special assessment shall include other

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lands not fronting upon the improvement, then upon all land included in such special assessment, in proportion to the estimated benefits resulting thereto from the improvement. When such assessment is to be made upon lots in proportion to their frontage upon the improvement, if from the shape or size of any lot, the assessment thereon in proportion to its frontage would be unjust and disproportionate to the assessment upon other lots, the city council, or assessor making the assessment, may assess such lots or such number of feet frontage as in their opinion would be just. The cost and expense of the following improvement, including the necessary land therefor, viz., for city hall and other public buildings for the use of the city, officers, engine-houses and structures for the fire department, water-works, city prison, levees and embankments, shall be paid from the proper general fund of the city; except that, in case of lands appropriated for streets and rights of way, the cost thereof may be paid in whole or in part from the avails of special assessment to be levied therefor in the manner herein prescribed. Whenever, in the opinion of the city council, the benefits thereof are special rather than general or public, when by the provisions of this act the cost and expense of any local improvements may be defrayed in whole or in part by special assessment upon the lands fronting and adjacent to or otherwise benefited by such improvement, such assessment may be made in the manner hereinafter specified. When the city council shall determine to make any public improvement or repairs, in the laying of pavements, or constructing sidewalks, or in any way improving the streets in the city, and defray the whole or any part of the cost and expense thereof by special assessments, they shall so declare by ordinance, stating the improvement and what part or portion of the expense thereof shall be paid by special assessment, and what part, if any, has been appropriated from the general fund of the city, or from the street funds, or district street funds, and whether the assessment is to be made according to benefits or frontage, and in case the assessment is to be made according to benefits they shall by apt description designate the district, if a special district is set apart therein, including the lands to be so assessed; or in case there is no district so set apart they shall describe definitely the location of the improvement, and state that the assessment is to be made upon all the lands benefited thereby according to benefit; but in case the assessment is to be made upon the property according to the frontage, it shall be sufficient in said ordinance to so state with a definite location of the improvements to be made. It shall not be necessary in any case to describe minutely in the ordinance each particular lot to be assessed, but simply to so designate the property, district, or the location that the various parts to be assessed can be ascertained and described

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by the city assessor. Before ordering any public improvement or repairs as provided in the last preceding section, any part of the expense of which is to be defrayed by special assessment, the city council shall cause estimates of the expense thereof to be made by the city engineer, and also plats and diagrams, when practicable, of the work and of the locality to be improved, and deposit the same with the city clerk for public examination and they shall give notice thereof and the proposed improvement or work and of the location of the improvement and of the district to be assessed, by publication for two weeks at least in one of the newspapers of the city, by posting printed notices of the same in at least three of the most public places in each ward, and also a notice in or near each postoffice of said city, and three notices near the site of the proposed work in some public and conspicuous place, and of the time when the city council will meet and consider any suggestions and objections that may be made by parties interested with respect to the proposed improvements. Unless a majority of the persons to be assessed shall petition therefor, no such improvement or work shall be ordered except by the concurrence of two-thirds of all the members elected to the city council. In all cases where the board of health or other officials of the city or the city council are authorized to do so, or cause to be done, certain things, the whole or any part of which may be charged as a special assessment upon the property, and where special provisions for making the levy are not herein made, the city council may cause sworn statements of the cost thereof, and of the location thereof, to be made as provided in the last paragraph, and may at their option refer the same to the city assessor and have the same assessed against such property. The cost and expenses of any improvement which may be defrayed by special assessments shall include the cost of surveys, plans, assessments, and cost of construction. In no case shall the whole amount be levied by special assessment upon any lots or premises where any one improvement exceeds twenty per cent of the value of such lands as last before valued and assessed for state and county taxation in the county tax roll. Any cost exceeding that per cent which would otherwise be chargeable upon said lots or premises shall be paid from the general funds of the city. The city council shall prescribe the fees and compensation that may be charged in the work of making any special assessment as part of the assessment. No contract for doing the work or making the improvement contemplated herein shall be made or awarded, nor shall the city council incur any expense or liability in relation thereto until after the notice and hearing provided for herein shall have been given or had. But nothing herein contained shall be construed as preventing the city council from advertising for proposals for doing the work whenever they see fit; *provided*, the

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contract shall not be made or awarded before the time herein stated. When any special assessment is to be made pro rata upon the lots or premises in any special assessment district, according to frontage or benefits, the city council shall, by ordinance, direct the same to be made by the city assessor, and shall state therein the amount to be assessed, and whether according to frontage or benefits, and describe or designate the lots and premises, or the locality constituting the district to be assessed; in fixing the amount or sum of money that may be required to pay the costs of any improvement, the city council need not necessarily be governed by the estimates of such improvement provided for herein, but the city council may decide upon such other sum, within the limitations described, as they may deem necessary to cover the cost of such improvement. Upon receiving such order and directions the city assessor shall make out an assessment roll, entering and describing all lots, premises and portions of land to be assessed with the names of the persons, if known, chargeable with the assessments thereon, and shall levy thereon and against such persons the amount to be assessed in the manner directed by the city council and the provisions of this act applicable to the assessment; *provided*, in all cases where the ownership thereof is unknown to the assessor he shall, in lieu of the name of the owner, insert the name "unknown"; *provided also*, if by mistake or otherwise any person shall be improperly designated as the owner of any lot or premises, or if the same shall be assessed without the name of the owner, or the name of the person other than the owner, such assessment shall not for any cause be vitiated, but shall in all respects be as valid upon and against such lot, parcel of land, or premises as though assessed in the name of the proper owner, and when the assessment roll shall have been confirmed and recorded, shall be a lien on such lot, parcel of land, or premises, and collected as in other cases. If the assessment is required to be according to the frontage, the city assessor shall assess each lot or parcel of land or such relative portion of the whole amount to be levied, as the length of front of such premises fronting upon the improvement bears to the whole frontage of all the lots to be assessed; unless on account of the shape or size of any lot or lots an assessment for a different number of feet would be more equitable; and the frontage of all lots to be assessed shall be deemed to be the aggregate number of feet as determined upon for assessment by the city assessor. If the assessment is directed to be according to benefits, the city assessor shall assess upon each lot such relative portion of the whole sum to be levied as shall be proportionate to the estimated benefit resulting to such lot from the improvement. When the assessor shall have completed the assessment he shall report the same to the city council. Such reports shall be signed by him and

made in the form of a certificate and endorsed on the assessment roll as follows:

State of Nevada, City of Reno, ss. To the City Council of the City of Reno: I hereby certify and report that the foregoing is the assessment roll, and the assessment made by me pursuant to an ordinance of the city council of the said city, adopted (give date), for the purpose of paying that part of the cost which the city council decided should be paid and borne by special assessment for the purpose of paying the costs of (e. g.) for paving Virginia street from First street to Fourth street in said city (as the case may be), (or constructing a sewer on Sierra street), (or as the case may be). That in making such assessment, I have as near as may be and according to my best judgment conformed in all things to the directions contained in the ordinance of the city council hereinbefore referred to, as well as to the charter of the city relating to such assessment. Dated Reno, Nevada,....., A. D. 19....
 City Assessor.

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When any expense shall be incurred by the city upon or in respect to any separate or single lot, parcel of land, or premises which, by the provisions of this act, the city council is authorized to charge and collect a special assessment against the same, and not being of that class of special assessments required to be made pro rata upon several lots or parcels of land, on account of the labor or services for which such expense was incurred, verified by the officer or person performing the services, or causing the same to be done, with the description of the lot or premises upon or in respect to which the expense was incurred, or the name of the owner or person, if known, chargeable therewith, shall be reported to the city council in such manner as the city council shall present. And the provisions of the previous subdivisions with reference to special assessments generally and the proceedings necessary to be had before making the improvement, shall not apply to the assessments to cover the expense incurred, in respect to that class of improvements contemplated in this subdivision.

The city council shall determine what amount or part of every expense shall be charged and the person, if known, against whom and the premises upon which the same shall be levied as a special assessment; and as often as the city council shall deem it expedient they shall require all of the several amounts so reported and determined, and the several lots or premises and the persons chargeable therewith respectively to be reported by the city clerk to the city assessor for assessment.

Upon receiving the report mentioned in the preceding subdivision the city assessor shall make a special assessment roll and levy a special assessment therein upon each lot

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or parcel of land so reported to him and against the person chargeable therewith, if known, the whole amount or amounts of all the charges so directed as aforesaid to be levied upon each of such lots or premises, respectively, and when completed he shall report the assessment roll to the city council. When any special assessment shall be reported by the city assessor to the city council as in this section and subdivision directed, the same shall be filed in the office of the city clerk and numbered. Before adopting the assessment the city council shall cause notice to be published for two weeks at least in some newspaper of the city of the filing of the same with the city clerk, and appointing a time when the city council and assessor will meet to review the assessments. Any person objecting to the assessment may file his objections thereto in writing with the city clerk. The notice provided in this subdivision may be addressed to the persons whose names appear upon the assessment roll and to all others interested therein, and may be in the following form:

Notice of Special Assessment

To (insert the names of the persons against whom the assessment appears) and to all persons interested, take notice: That the roll of the special assessment heretofore made by the city assessor for the purpose of defraying that part of the costs which the city council decided should be paid and borne by special assessment for the (e. g., paving Virginia street to Fourth street in said city), (or constructing a sewer on Sierra street between First street and Fifth street), or (as the case may be), is now on file at my office for public inspection. Notice is hereby given that the city council and city assessor of the city of Reno will meet in the council room in said city on (insert the date fixed upon), to review said assessment, at which time and place opportunity will be given all persons interested to be heard.

Dated....., City Clerk.

At the time appointed for the purpose aforesaid the city council and city assessor shall meet and there, or at some adjourned meeting, review the assessment; and shall hear any objection to said assessments which may be made by any person deeming himself aggrieved thereby, and shall decide upon the same; and the city council may correct the same as to any assessment or description of the premises, appearing therein, and may confirm it as reported or as corrected, or they may refer the assessment back to the city assessor for revision; or annul it and direct a new assessment; in which case the same proceedings shall be had as in respect to the previous assessment. When a special assessment shall be confirmed the city clerk shall make an endorsement upon the roll showing the date of confirmation which shall be in the following words: "Special assessment roll for (describing fully what the assessment is for), as approved

by the city council, the.....day of.....(month),
19....(affixing the time).

Dated....., City Clerk."

Sixth—When any special assessment roll shall be confirmed by the city council it shall be final and conclusive except as hereinafter provided; but no such assessment shall be confirmed except by a two-thirds vote of all the members elected to the city council. The city clerk and clerk of the city council shall thereupon deliver to the county auditor, acting ex officio city auditor, the assessment roll as confirmed by the city council, with his certificate of such confirmation, and of the date thereof. The county auditor, acting ex officio city auditor, shall thereupon, without extra compensation, record such assessment roll in his office, in a suitable book to be kept for that purpose, and append thereto his certificate of the date of such recording, whereupon from said date all persons shall be deemed to have notice of the contents of such assessment roll. Said roll when so endorsed and recorded shall be *prima facie* evidence in all courts and tribunals of the regularity of all proceedings preliminary to the making thereof and of the validity of said assessment and assessment roll.

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All special assessments shall, from the date of recording thereof, constitute a lien upon the respective lots or parcels of land assessed, and shall be charged against the persons and properties until paid. Upon the confirmation and recording of any assessment, the amount thereof may be divided into not more than ten installments, one of which installments to be collected yearly, or the entire amount thereof to be collected at once, in a manner hereinafter prescribed, with annual interest thereon at a rate not exceeding seven per cent.

All special assessments, except such installments thereof as the city council shall make payable at a future time, shall be due and payable upon recording, and suit may be commenced for the collection thereof in the name of the city of Reno in the same manner as any other action for money owed the city of Reno; *provided*, the court shall order the property, or sufficient thereof to cover the amount of judgment and costs, sold, and the proceedings in said action, where the same are not inconsistent, shall be the same as is provided in the civil practice act of the State of Nevada, and whenever the words "justice court," "justice of the peace," and "constable" are used in said civil practice act the same shall be held to mean police court, police judge, and chief of police, respectively, for the purposes of said action.

Should any lots or lands be divided after a special assessment thereon shall have been confirmed and divided into installments and before the collection of the installments, the city council may require the city assessor to apportion

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the uncollected amounts upon the several parts of lands so divided. The report of such apportionment when confirmed shall be conclusive on all the parties, and all assessments thereafter made upon such lots or lands shall be according to such subdivision.

Should any special assessment prove insufficient to pay for the improvement or work for which it is levied, and the expense incident thereto, the amount of such deficiency shall be paid from the general fund in the treasury of the city; and in case a greater amount shall have been collected than was necessary the excess shall be refunded ratably to those by whom it was paid.

Whenever any special assessment shall, in the opinion of the city council, be invalid by reason of any irregularity or informality in the proceedings, or if any court of competent jurisdiction shall adjudge such assessments to be illegal, the city council shall, whether the improvement has been made or not, or whether any part of the assessments have been paid or not, have power to cause a new assessment to be made for the same purpose for which the former assessment was made. All of the proceedings for such reassessment and for the collection thereof shall be conducted in the same manner as provided for special assessment in this act.

Whenever any sum or any part thereof levied upon any premises in the assessment so set aside has been paid and not refunded, the payment so made shall be applied upon the reassessment on said premises; and the assessment to that extent be deemed satisfied.

No judgment or decree nor any act of the city council vacating a special assessment shall destroy or impair the lien of the city upon the premises assessed for such amount of the assessment as may be equitably charged against the same or as by regular mode of proceedings might have been lawfully assessed thereon.

When any special assessment shall be confirmed, recorded, and be payable, and the city council desires to have the same paid in annual installments, or the entire amount thereof to be paid at once, as hereinbefore provided, the city council may, by resolution, direct the city clerk to report to the city assessor a description of such lots and premises as are contained in said roll, with the amount of the assessment levied upon each, or the amount of the annual installment with the interest added, or the entire amount thereof to be paid at once, and the name of the owner or occupant against whom the assessment was made, and to require the city assessor to levy the several sums so assessed as a tax upon the several lots or premises to which they were assessed respectively, and the city council shall annually and at the same time the city tax levy is made continue to so require the city assessor to levy the said installments of special assessments until the whole sum assessed with interest thereon has

been paid. Upon receiving such report, the city assessor shall levy the sums therein mentioned upon the respective lots and premises to which they were assessed and against the persons chargeable therewith as a tax in the general assessment roll next thereafter to be made in a column for special assessments, and the county auditor, acting ex officio city auditor, shall extend the same on said roll in the same manner as state and county taxes or assessments are extended, and thereupon the amount so levied in said assessment roll shall be collected and enforced with the other taxes in the assessment roll by the county tax receiver, acting ex officio city tax receiver, and in the same manner, and shall continue to be a lien upon the premises assessed until paid, and when collected shall be credited to the proper funds; *provided*, that nothing in this paragraph set forth shall be construed as preventing the city of Reno from collecting any special assessment by suit in the name of the city of Reno in the manner in this subdivision before contained, and the said special assessment roll and the certified resolution confirming it, as recorded, shall be *prima facie* evidence of the regularity of the proceedings in making the assessment and of the right of the city to recover judgment therefor.

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If in any action for the collection of any assessment it shall appear by reason of any irregularity or informality that the assessment has not been properly made against the defendant, or the lot or the premises sought to be charged, the court may, nevertheless, on satisfactory proof that the expense has been incurred by the city which is a proper charge against the defendant, or the lot or premises in question, render judgment for the amount properly chargeable against such defendant or upon such lot or premises.

The city council of the city of Reno is hereby authorized and empowered to correct or amend the said special assessment roll, by resolution, at any time after confirmation and recording of the same, so as to make it conform to the actual cost of the work for which the same was levied, and all changes in said roll shall be made by resolution, by a two-thirds vote of all the members elected to the city council, and the said resolution, or a copy thereof certified by the clerk of the city council as being a true copy, shall be posted in the said special assessment roll and shall constitute conclusive authority for the change so made.

In construing the fifth and sixth powers of section ten, article twelve, anything in this act contrary thereto shall not be deemed in conflict with the provisions of said powers.

Seventh—To organize, regulate, maintain, and disband a fire department, to provide for the extinguishment of fire and protection against the same; to regulate or prohibit the storage of gunpowder or other explosive, combustible, or inflammable material within, or transported through the city, and to prescribe the distance from said city where the same

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may be stored, held, or kept; to regulate the selling, using, or keeping of firecrackers, fireworks, and the giving of any exhibition of fireworks within the city limits and any designated portion thereof.

Eighth—To determine, by ordinance, what shall be deemed nuisances, and to provide for the abatement, prevention, and removal of the same by the city or at the expense of the parties creating, maintaining, causing, or committing such nuisances, and to provide for the penalty and punishment of the same.

Ninth—To provide for safeguarding the health of the city. For this purpose, the city council may appoint a city board of health and by ordinance, prescribe its duties and powers, and provide that any violation of any order of the board of health shall be considered a misdemeanor.

Tenth—To fix, impose and collect a license tax on and to regulate all character of lawful trades, callings, industries, occupations, professions and business, conducted in whole or in part within the city, including all theaters, theatrical or melodeon performances, and performances of any, every, and all kinds for which an admission fee is charged, or which may be held in any house, place, or enclosure where wines, spirituous, malt, vinous, or intoxicating liquors are sold or given away; circuses, billiard tables, pool tables, bowling alleys, and all exhibitions and amusements. To fix, impose, and collect a license tax on and regulate all taverns, hotels, restaurants, chop houses, cafes, saloons, eating-houses, lunch counters, barrooms, lodging-houses accommodating four or more lodgers, manufacturers, laundries, livery stables, sale stables, cattle or horse corrals, express companies, telegraph and telephone companies, oil wells or tanks, oil refineries, tanneries, foundries, brickyards, pressed-brick yards, street railway companies operating in whole or in part within the city. To fix, impose, and collect a license tax on and regulate auctioneers and stock brokers. To fix, impose and collect a license tax on, regulate, prohibit, or suppress all tippling houses, dram shops, saloons, bars, barrooms, raffles, hawkers, peddlers, except those dealing in their own agricultural products of this state. To fix, impose, and collect a license tax on, regulate, prescribe the location of, or suppress, all saloons, barrooms, gambling games, tippling houses, dram-shops, any and all places where intoxicating drinks are sold or given away, street fakirs, street peddlers, except as above stated, fortune tellers, mediums, astrologers, palmists, clairvoyants, phrenologists, pawn shops, pawn brokers, oil wells, oil tanks, oil refineries, soap manufacturers, brick yards, livery, feed, or sale stables, cattle or horse corrals, foundries, and machine shops. To prohibit and suppress all dog-fights, prize-fights, cock-fights, bear, bull, or badger baits, sparring and sparring contests. To regulate, prohibit, prescribe the location of, and suppress, all houses of ill-fame.

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hurdy-gurdy houses, bawdy houses, and any and all places where persons resort to for lewd or lascivious purposes, or purposes of lewdness or prostitution, including dance houses and saloons having special attractions, such as music or otherwise. To fix, impose, and collect a license tax on and regulate all lawful professions, trades, callings, and business whatsoever, including grocers, merchants of any, every, and all kinds, of trades and traders of all kinds, hotels, butcher shops, slaughter-houses, wood and fuel dealers, coal dealers, sewing machine agents, marble or stone dealers, saddle or harness makers or shops, cigar stores, stationery stores, confectionery stores, newspaper stands, plumbing shops, tin shops when separate from hardware stores, hardware stores, paint or oil stores, bicycle shops, garages, repair shops, cycleries, warehouses, cold-storage plants, daily, weekly, semi-weekly, monthly, and semimonthly newspapers or publications, ice peddlers, insurance companies, fire, life and accident, and agents or solicitors for the same, surety companies, and agents or solicitors for the same, shooting galleries, upholsterers, soap factories, barber-shops, collection agencies, and collectors, carpet cleaners, photographers, wagon makers, wheelwrights, blacksmith shops, horseshoeing shops, tailors and tailor shops, shoe shops, cobblers, tinkers, cloth-cleaning and dyeing establishments, all billiard or pool games or other or any table games played with cue and balls or other mechanical device, bakeries, milliners, gunsmith shops, steam renovating works, dressmaking establishments, railroad, telegraph and telephone companies, stage companies, electric light, water, and power companies, bankers, and brokers of any, every, and all kinds, electrical supply houses, job printers, manufacturers of soda water, or other or any soft drinks, or of beer, malt, spirituous, or vinous liquors or other or any alcoholic beverages, brewing companies, brewing agencies, patent medicine agencies, agencies of any and all kinds, wholesale liquor houses, or purchasers or brokers, sampling works, flour mills, city express and job wagons, draymen, second-hand stores, messenger service establishments, contractors, contracting mechanics or builders, sash and door factories, planing mills, machine shops, car shops, building and loan companies and agents or solicitors for the same, real estate agents, real estate solicitors, popcorn, peanut, delicatessen, fruit and lemonade stands, refreshment or coffee stands, booths and sheds, drygoods stores of every, any, and all kinds, boot and shoe stores, furniture stores, drug stores, undertakers, glass and crockery stores, tamale stands or shops, abstract of title companies, or persons furnishing the same, iron works, notions and notion stores, pipe and tobacco stores, advertising by billboards, placards and the like, bootblacks and bootblack stands, gun stores, sporting, hunting, and fishing tackle stores, jewelry stores, resorts for amusements of all kinds, and all and singular, each and every,

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and any business, and all trades and professions, including attorneys, doctors, physicans, and dentists, and all character of lawful business or callings not herein specifically named; *provided*, that in fixing licenses, the city council must as nearly as practicable, make the same uniform in proportion to the approximate amount of business done by the licensee; *and provided further*, that in fixing licenses hereunder, the city council must have due regard for and be governed as far as possible by, the approximate amount or volume of business done by each person, firm, company, association, or corporation thus licensed.

Eleventh—To fix, impose, and collect a license tax on, and regulate all saloons, barrooms, dram-shops, bars, tippling houses, or places where spirituous, malt, vinous, or intoxicating liquors are sold or given away; and to limit the number of saloons and all other retail liquor licenses, and to revoke the same.

Twelfth—To fix, impose, and collect an annual per capita tax on all dogs and to provide for the capture and destruction of all dogs on which said tax shall not be paid. To fix, impose, and collect a license tax on and regulate hacks, hackney coaches, cabs, omnibuses, express wagons, drays, job wagons, and all other vehicles used for hire, and to regulate the stands of all hacks, hackney coaches, cabs, omnibuses, express wagons, drays, job wagons, and all other vehicles used for hire, and to regulate their rates of fare, and to require schedules of rates to be posted on or upon such public vehicles. To fix, impose, and collect a license tax on, regulate, prohibit, or suppress runners for hotels, taverns, or other business.

Thirteenth—To prevent and restrain any riot or riotous assemblage or disorderly conduct within the city, and to provide for the punishment of the same.

Fourteenth—To provide for the formation of a chain gang for persons convicted of offenses against the ordinances of the city, and for their proper employment for the benefit of the city, and to safeguard and prevent their escape while being so employed.

Fifteenth—To provide for conducting all city elections, regular or special, establishing election precincts, changing the same, and appointing the necessary officers of election.

Sixteenth—To regulate the speed at which cars, automobiles, bicycles, and other vehicles may run within the city limits, and to prescribe the length of time any street may be obstructed by trains being made up or cars standing thereon, and to require railway companies, at the expense of said railway companies, either to erect safety gates and maintain the same, or to station flagmen or place such sufficient warning signals or signal bells on street crossings as may, in the judgment of the city council be necessary, and to require

street railway cars to be provided with modern fenders, and sufficient heat and other conveniences for the passengers and employees, and to have warning or signal bells rung at all street crossings, and generally to regulate and control the same for the comfort, safety, and security of pedestrians and the traveling public. And the city council of the city of Reno is hereby vested with full power and authority to exercise the right of eminent domain in all cases where the same is deemed necessary to condemn a right of way for street or other public purposes over and across any railroad right of way.

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Seventeenth—To examine all books, papers, reports, and statements of the several officers or other persons having custody, care, or disbursement of any moneys belonging to the city, and to examine and liquidate all accounts and claims against the city and to allow or reject the same or any part thereof.

Eighteenth—To provide for the issuance of all licenses in this charter authorized and to fix the amount thereof and the times for, manner of and terms upon which the same shall be issued.

Nineteenth—To make all appropriations, examine and audit, reject or allow the accounts of all officers, or other persons having the care or custody of any city moneys or property and to determine the fee or salary of such officer or person, except as herein otherwise provided, to make contracts and agreements for the use and benefit of the city, such contracts to specify the fund out of which payment for the same is to be made; *provided*, that in no case shall a liability be created or warrant drawn against any fund beyond the actual amount then existing in such fund wherewith to meet the same.

Twentieth—To control, enlarge, or abolish cemeteries and to sell or lease lots therein; to control and regulate the interments therein and to prohibit them within the city limits, and to prescribe the distance from said limits, where the same may be located; and to provide for the issuance of burial or transit permits, and make a charge therefor.

Twenty-first—To establish, lay out and change fire limits and regulate or prevent the erection or repair of wooden buildings therein; to regulate and prescribe the material to be used in the construction or repair of buildings or sheds in such limits and to prevent the erection or construction of any buildings or sheds of other material; to regulate, prescribe the material of, and prohibit awnings, porches, signs, placards or billboards over sidewalks, or across streets, and to regulate the same throughout the city.

Twenty-second—To provide by ordinance, for supplemental registration of all persons possessing the requisite qualifications of voters in said city and whose names do not

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appear on the official register of voters in said city for the next preceding general election; such supplemental registration may be had every four years, before the police judge, and conform as nearly as possible with the requirement of general laws governing registration of persons for general elections; *provided*, that no such supplemental registration shall be had or taken later than thirty days preceding any regular city election, and the registration books shall be closed at least ten days before the day of election.

Twenty-third—To provide and maintain a city prison and provide for the guarding, safe-keeping, care, feeding, and clothing of the city prisoners.

Twenty-fourth—To prevent or regulate the running at large in the city of any poultry, hogs, sheep, goats, swine, horses, cows, or animals; to establish and maintain a pound and to authorize the impounding, sale, or disposal of any animals found running at large, and to authorize the destruction of all fowls or poultry running at large.

Twenty-fifth—To regulate or prohibit the use of steam boilers; the location of telegraph, telephone, electric light and other poles, and the suspension thereon of wires, and the construction of entrances to cellars and basements from sidewalks.

Twenty-sixth—To prevent and regulate the erection or maintenance of insecure or unsafe buildings, walls, chimneys, stacks, or other structures; to prescribe the manner of construction and location of drains and sewers; to lay out, change, and create sewer districts; to require connections with sewers; to require the owners, lessees or other persons in control or possession of public buildings or buildings used for public purposes, including hotels, dancing halls, theaters, and theater buildings, to place in or upon the same fire escapes and appliances for protection against the extinguishment of fire; to prevent the construction and cause the removal of dangerous chimneys, stovepipes, ovens and boilers, and to prevent the depositing of sewer filth, offal, manure, or other offensive matter in the city; to prevent the depositing of ashes, rubbish, shavings, or any combustible material in unsafe places; to regulate and compel the abating, removal, or cleansing, at the expense of the person in possession or responsible therefor, of all nauseous matter; filth, accumulated rubbish, debris, nauseous, stinking or foul privy vaults; and if after the city council has given written notice to the owner or agent of any lot or premises to clean the same of any accumulated rubbish, garbage, or filth, the said owner or agent refuses or fails for a period of two days from and after receipt of said notice so to do, the city council may remove the said rubbish, garbage or filth and collect the cost of said removal by suit against the said owner and lot or premises, and the cost of said removal shall be a lien against the said lot or premises until paid,

and in the said action for recovery of the cost of said removal it shall not be necessary to join as defendant any party other than the name of the actual record owner and the said lot or premises.

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Twenty-seventh—To regulate the entrance to and exit from theaters, lecture rooms, public halls, and churches, and the number and construction of such entrances and exits, and to prohibit the placing of chairs, stools, or benches in or crowding or otherwise impeding or obstructing the passageways, aisles, entrances or exits of such places.

Twenty-eighth—To regulate and control the construction and maintenance of any tubes, pipes, or pipe lines, conduits, ditches, signal bells, warning signs, and other electric, telegraph, and mechanical appliances in, along, over, under, and across the streets and alleys; *provided*, that no such appliances shall be placed so as to interfere with the fire alarm system, or the extinguishment of fires, or permanently, with the free use of the streets, sidewalks or alleys.

Twenty-ninth—To require every railroad and street railway company to keep the streets in repair between the tracks and along and within the distance of two feet upon each side of the tracks, and to require all street railway companies to sprinkle the streets between their tracks, and for a reasonable distance on each side thereof.

Thirtieth—To require upon such notice as the city council may direct, any noxious or offensive smell, filth, or debris to be abated, removed, or otherwise destroyed, at the expense of the person or persons causing, committing, or responsible therefor, and the city council in like manner may require or cause any lots or portions of lots covered by stagnant water for any period, to be filled up to such level as will prevent the same from being so covered, and may assess the cost or any portion thereof, of filling, upon such real estate and make the same a lien thereon, in which case said lien shall be preserved, enforced, and foreclosed as in other cases herein provided for.

Thirty-first—To provide for and regulate the manner of weighing of all food products and food stuffs, and hay, grain, straw, and coal, and the measuring and selling of firewood and of all fuel within the city, and to provide for the seizure and forfeiture of such articles offered for sale which do not comply with such regulations, and to examine, test and provide for the inspection and sealing of all weights and measures throughout the city and enforce the keeping by traders and dealers, of proper weights and measures duly tested and sealed, and by ordinance provide a penalty for the using of false weights or measures.

Thirty-second—To restrain and punish vagrants, drunkards, drunkenness, disorderly persons, common prostitutes, mendicants, street walkers, street solicitors for alms or otherwise, street beggars, house beggars, and lewd persons; to

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suppress and abolish houses of assignation, or places resorted to by persons for the purpose of prostitution or immoral purposes; to prevent diseased, maimed, injured, or unfortunate persons from displaying their infirmities for the purpose of receiving alms, and to prevent and punish obscene language, or conduct, indecent exposure of person, loud and threatening or lewd language, or profane language in the presence and hearing of women or children, and all obnoxious, offensive, immoral, indecent, and disorderly conduct and practices in the city; to prevent and punish the discharging of firearms in the city, the lighting of fires in yards, streets, or alleys, or other unsafe places anywhere within the city; to prevent and punish the carrying of weapons, concealed or otherwise; to prevent and punish fast driving, fast horse-back riding, or the riding or breaking to drive of wild or unmanageable horses in the city; to require that all horses when left standing shall be hitched to post or weight, and to prescribe the length of time any horse or animal may be allowed to remain tied, held, or otherwise kept on the streets or alleys of the city.

Thirty-third—To prevent and punish all persons from showing, selling, or exhibiting for sale or in any manner publishing any obscene or indecent drawings, engravings, paintings, books, or pamphlets, and all obscene or indecent exhibitions and shows of every kind.

Thirty-fourth—To regulate the use, sale, and methods and means of distribution of water, gas, electric, and other lights in the city; to fix and determine the price as well as the rentals of all water, gas, and electric light meters within the city; and to provide for the inspection of such meters; to regulate telephone service and the use of telephones, and to fix and determine the charges for telephones, telephone service, and connections within the city; *provided*, that nothing herein contained shall be held to supercede any state law upon this subject, so long as any such state law may be in effect.

Thirty-fifth—To provide for the lighting of the streets and public buildings and places of the city and to regulate such lighting.

Thirty-sixth—To regulate lodging, tenement, and apartment houses having four or more lodgers; to prevent the overcrowding of the same, and to require the same to be kept in a sanitary condition.

Thirty-seventh—To adopt and enforce by ordinance, all such measures and establish all such regulations in case no express provision is in this charter made, as the city council may from time to time deem expedient and necessary for the promotion and protection of health, comfort, safety, life, welfare, and property of the inhabitants of said city, the preservation of peace and good order, the promotion of

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public morals and the suppression and prevention of vice in the city, and to pass and enact ordinances on any other subject of municipal control or to carry into force or effect any other powers of the city, and to do and perform any, every, and all acts and things necessary or required for the execution of the powers conferred or which may be necessary to fully carry out the purpose and intent thereof.

Thirty-eighth—To provide for the cleaning of the river, reservoirs, and streams of the city, and the ditches connected therewith, of all driftwood and noxious matter; to prohibit, prevent, and punish the depositing therein of any filth or other matter tending to make the waters thereof impure, unwholesome, or offensive.

Thirty-ninth—To require of all ditch or canal companies, persons, or individuals owning, operating, or controlling any ditch or canal running over or across any of the streets or alleys of the city to cause such ditch or canal to be completely bridged from side to side of such streets or alleys.

Fortieth—To compel the owner of any grocery, tallow-candler shop, soap or candle factory, butcher shop or stall, slaughter house, stable, barn, corral, sewer, privy, or other offensive, nauseous, or unwholesome place or house, to cleanse, remove, or abate the same, whenever the city council shall deem it necessary for the health, comfort, or convenience of the inhabitants of the city; the expense thereof to be paid by the person causing, maintaining, or committing the same.

Forty-first—To select, appoint, and employ an engineer, surveyor, architect, or other skilled mechanic or person from time to time, whenever in the judgment of the city council it shall be necessary or expedient for the purpose of supervising and directing any public work; the salary or compensation, duties, and responsibilities of such person to be fixed, determined, and fully defined by ordinance.

Forty-second—To prescribe fines, forfeitures, and penalties for the breach or violation of any ordinance, or the provisions of this charter, but no penalty shall exceed the amount of five hundred dollars or six months imprisonment, or both such fine and imprisonment.

Forty-third—To require of and prescribe the amount of official bonds from its members and all officers of the city, whether elective or appointive.

Forty-fourth—To institute and maintain any suit or suits, civil or criminal, in the name of the city, in the proper court, whenever necessary, in the judgment of the city council to enforce or maintain any right of the city, and they may, in like manner, defend all actions against the city; to institute and maintain any suit to foreclose liens or otherwise, against any property owner refusing or neglecting to pay as assessed by the city council, his ratable proportion of the cost of

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paving, grading or otherwise improving any street, or building any sidewalk or other improvement, which benefits the property or owner thereof.

Forty-fifth—To hold, manage, use and dispose of all real and personal property of the city, and to enforce the payment and collection of all dues, assessments, or demands of every nature or kind, belonging or inuring to the city, but no sales of property belonging to the city shall be made until after it shall have been appraised by three disinterested appraisers, residents and taxpayers of the city, at the actual market value, nor shall it be sold for less than seventy-five per cent of such appraised value; *provided*, that no real property shall be sold or in any manner disposed of.

Forty-sixth—To prohibit the injury to or interference with the ornamental trees and shrubbery in the streets and public places of the city, and to prescribe the punishment for such injury and interference.

Forty-seventh—Any property, real or personal, necessary or required for the public use of the city, may be condemned and appropriated in the manner prescribed by general law and all rights of eminent domain may be exercised by the city in relation thereto.

Forty-eighth—To change or enlarge the boundaries of any ward, by ordinance, so as to annex or include therein additional lands, with the tenements, property and inhabitants thereof; *provided*, the city council shall be first petitioned so to do by a majority of the persons of the district proposed to be so annexed; *and provided further*, that no change in the boundaries of any ward, except for the purpose of enlarging the same, shall be made within sixty days next preceding any general city election, and in no event oftener than once every two years.

Forty-ninth—To suppress or regulate and collect a license tax on circus or other public parades through the streets of the city.

Fiftieth—In its discretion, to provide and set aside yearly a reasonable fund, which once so provided and set aside shall not be increased, but may be diminished, during the year, for purposes of publicity.

Fifty-first—To employ or appoint, on its own motion, such person or persons as it may deem expedient or necessary in any department of the city, who shall thereupon be subject to the supervision and regulation of the departmental head thereof.

CHAP. 77—*An Act to amend an act entitled "An act defining the rights of husband and wife," approved March 10, 1873.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 6 of the above-entitled act is hereby amended to read as follows:

Section 6. The husband shall have the entire management and control of the community property, with the like absolute power of disposition thereof, except as hereinafter provided, as of his own separate estate; *provided*, that no deed of conveyance or mortgage of a homestead as now defined by law, regardless of whether a declaration thereof has been filed or not, shall be valid for any purpose whatever unless both the husband and wife execute and acknowledge the same as now provided by law for the conveyance of real estate; *provided further*, that the wife shall have the entire management and control of the earnings and accumulations of herself and her minor children living with her, with the like absolute power of disposition thereof, when said earnings and accumulations are used for the care and maintenance of the family.

Husband has control of community property, except homestead

Wife has control of her own and minor children's earnings

CHAP. 78—*An Act to amend an act entitled "An act to provide for the publication of the decisions of the supreme court of the State of Nevada, and such other official advertising as is required by the state," approved March 29, 1907.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 1 of the above-entitled act is hereby amended to read as follows:

Section 1. The state board of examiners of the State of Nevada shall, within ten days after the approval of this act, select two daily newspapers, published at the capital, in one of which all advertising required by the state shall be published; *provided*, that the expense of such publication shall not exceed the sum of one hundred and twenty-five dollars (\$125) per month and the other newspaper selected by the board shall publish all of the decisions of the supreme court, within ten days after such decision shall have been furnished the publisher by the clerk of the court, each decision to be published in its entirety in a single issue of the paper, and within two days thereafter the publisher shall furnish the clerk of the court with four hundred copies of the paper for distribution to the legal fraternity of the state; *provided*, that the cost of such publication and the furnishing of the extra copies of the paper shall not exceed the sum of one hundred and fifty dollars (\$150) per month, said sums to be

Two newspapers at Carson City to do official advertising: cost of same fixed

Supreme court decisions printed in one issue: cost of same, and exceptions

Clerk shall
take receipt

Clerk to give
certificate

paid monthly out of the general fund. At the time of delivering the copy of any decision to any publisher pursuant to the provisions of this act, which shall be immediately after said decision is filed, the clerk of the supreme court shall take a receipt for the same, which receipt shall set forth the date of such delivery, the title and number of the case, and the name of the publication in which said decision is to be printed. All opinions thus delivered shall be published within ten days from the date of the delivery thereof, as evidenced by the receipt herein provided for. The state controller, before delivering any warrant for the payment of any money in compensation for the publication of decisions of the supreme court, shall require a certificate to be filed in the office of said controller by the clerk of the supreme court, setting forth under oath that the decisions of the supreme court, designating each of the same by the number of the case, have been published as required by this act, and that each of said decisions has been published within the time as herein specified; *provided, however*, that for good cause shown, upon the affidavit of the publisher to whom the publication of supreme court decisions has been by the board of examiners awarded, the chief justice of the supreme court may extend the time within which such decision or any decision or decisions may be published; and where such extension of time is granted, notice of such order shall appear in the certificate of the clerk of the supreme court herein provided to be filed with the state controller; *provided, further*, that if during any month no decisions or opinions are filed by the supreme court the certificate from the clerk of the court shall state such fact, and such certificate shall be sufficient to authorize the state controller to issue the warrant for that month.

CHAP. 79—*An Act to amend an act entitled "An act to redistrict the State of Nevada, prescribe the number and salaries of district judges, and fix the places of holding courts," approved March 4, 1885.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 7 of the above-entitled act is hereby amended to read as follows:

Traveling
expenses of
district
judges

Section 7. In addition to the salary provided by law, each district judge shall be entitled to receive his necessary expenses in going to and returning from the place of holding court, his traveling expenses when traveling by private conveyance, to be estimated at the usual amounts charged by public conveyance, and also his necessary expenses at the place of holding court when holding court in any county

other than that of his residence, said expenses to be allowed and paid as other claims against the state, but in no case shall such expenses exceed the amount of one thousand (\$1,000) dollars per annum for each judge.

SEC. 2. This act shall take effect January 1, 1919.

In effect
Jan. 1, 1919

CHAP. 80—*An Act to regulate the practice of chiropody, and provide for the requirements for a certificate to practice same.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the purpose of this act chiropody is defined to be the surgical treatment of abnormal nails and superficial excrescences occurring on the feet, such as corns, callosities, and the treatment of bunions; but a certificate hereunder shall not confer the right to operate upon the feet for congenital or acquired deformities, or for the conditions requiring the use of anesthetics other than local, or incisions involving structures below the level of the true skin.

Definition of
"chiropody"

SEC. 2. All applicants for a certificate to practice chiropody, after filing an application with the board of medical examiners must pass a written examination in the following subjects: Elements of anatomy, histology, physiology, chemistry, hygiene, pathology, bacteriology, dermatology, syphilis, orthopedics, surgery, chiropody, and therapeutics, sufficient to satisfy said board of their qualifications to practice chiropody.

Chiropodists
to pass
examination

SEC. 3. A fee of fifteen dollars (\$15) shall be charged for filing the application, which must be filed with the clerk or secretary of the board of medical examiners at least two weeks previous to the date of examination.

Fee

SEC. 4. Applications must be on file, duly completed and accompanied by above-mentioned fee, at least two weeks preceding the meeting of the board, and no application that is not complete in every detail will be acted upon by the board.

Applications

SEC. 5. A majority of the board of medical examiners shall constitute a quorum to transact all business, and all certificates issued by said board shall bear its seal and the signatures of the president and secretary, and shall authorize the person to whom it is issued for that purpose to practice chiropody in any and all counties in this state upon complying with the requirements of this act.

Medical
examiners
issue
certificates

SEC. 6. This act shall not apply to persons who have been practicing chiropody in this state continuously for a period of six months prior to the passage of this act, providing it can be satisfactorily shown to the board that such practice is in compliance with the law.

Exception

SEC. 7. Any person who shall practice chiropody, as

Penalty
for non-
compliance

herein defined, without having complied with the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five dollars, nor more than one hundred dollars for each and every offense.

CHAP. 81—*An Act entitled an act to regulate the herding, grazing and driving of live stock.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Live stock
not to be
herded at
springs or
within one
mile of home
of other
person than
owner

SECTION 1. It shall be unlawful for any person owning, or having charge of any live stock, to drive or herd or permit the same to be herded or driven, on the lands or possessory claims of other persons, or at any spring or springs, well or wells, belonging to another, to the damage thereof, or to herd the same or to permit them to be herded within one mile of a *bona fide* home or a *bona fide* ranch house; *provided*, that nothing in this act shall prevent the owners from herding or grazing their live stock on their own lands; *and further provided*, that nothing in this act shall be construed as to prevent live stock being driven along any public highway.

Violator
liable for
damages

SEC. 2. The owner or agent of such owner of live stock violating the provisions of section 1 of this act, on complaint of the party injured, in any court of competent jurisdiction, shall be liable to the person injured for actual and exemplary damages.

CHAP. 82—*An Act to amend an act entitled "An act to regulate railroads, telegraph and telephone companies and other common carriers in this state, creating a railroad commission, constituting the governor, the lieutenant-governor and the attorney-general a railroad board for the appointment and the removal of the railroad commissioners, prevent the imposition of unreasonable rates, prevent unjust discrimination, insure an adequate railway service and fixing maximum freight charges," approved March 5, 1907, and amended March 20, 1909, and amended March 27, 1911.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Amending
railroad
commission
act

SECTION 1. Section eight of an act entitled "An act to regulate railroads, telegraph and telephone companies and other common carriers in this state, creating a railroad commission, constituting the governor, the lieutenant-governor and the attorney-general a railroad board for the appointment and removal of the railroad commissioners, prevent the

imposition of unreasonable rates, prevent unjust discrimination, insure an adequate railway service, and fixing maximum freight charges," approved March 5, 1907, and as amended March 20, 1909, and as amended March 27, 1911, is hereby amended so as to read as follows:

Section 8. Nothing herein shall prevent the carriage, storage, or handling of freight free or at reduced rates for the United States, the state or any political subdivision thereof, or any municipality thereof, or for charitable purposes, or to and from fairs and expositions for exhibition thereat, or household goods and supplies the property of employees, or the issuance of mileage, commutation, or excursion passengers' tickets; *provided*, that the same shall be obtainable by any persons applying therefor, without discrimination, or of party tickets; *provided*, that the same shall be obtainable by any person applying therefor under like circumstances and conditions. This act shall not be construed as preventing railroads from giving free transportation or reduced rates therefor to any minister of the gospel, any regularly employed secretary of a Young Men's Christian Association, or secretary of Young Women's Christian Association, constable in any county of the state, officer or agent of incorporated colleges, college professors, school teachers, students attending institutions of learning, regular agents of charitable societies when traveling upon the business of the society only, destitute or homeless persons, railroad officers, attorneys, directors, employees or members of their families, superannuated or pensioned or disabled ex-employees, widows and minor children of deceased employees, probation officers, representatives of any commercial club, chamber of commerce or like organization, having a membership of 100 or more when such representatives are traveling upon the business of such organization only, or *bona fide* ex-railroad employees of any steam or electric railroad in search of employment, or to prevent the exchange of passes with officers, attorneys or employees of other railroads and members of their families.

(a) Upon any shipment of live stock or other property of such nature as to require the care of an attendant, the railroad may furnish to the shipper, or some person or persons designated by him, free transportation for such attendant, including return passage to the point at which the shipment originated; *provided*, that there shall be no discrimination in reference thereto between such shippers, and the commission shall have power to prescribe regulations in relation thereto.

Exception as to passes, free freight, or reduced rates for certain persons

Passes for attendant of live stock

CHAP. 83—*An Act to amend an act entitled "An act to create judicial districts in the State of Nevada, provide for the election of district judges therein, and to fix their salary, and to repeal all other acts in relation thereto," approved March 22, 1913.* [Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Salaries of district judges SECTION 1. Section 3 of the above-entitled act is hereby amended so as to read as follows:

Each county must promptly contribute SECTION 3. The salary of each judge herein elected, or appointed to fill vacancies whenever such vacancies shall occur, shall be four thousand dollars per annum, except the judges of Second judicial district, who shall each receive a salary of four thousand five hundred dollars per annum and the judge of the Fourth judicial district, whose salary shall be four thousand five hundred dollars per annum, and the judge of the Fifth judicial district, whose salary shall be five thousand dollars per annum, and the judge of the Seventh judicial district, whose salary shall be four thousand five hundred dollars per annum; all of said salaries to be paid in equal monthly installments out of the district judges' salary fund, hereby created in the state treasury, which fund shall be supplied in the manner following, to wit: Each county in each district in the state shall contribute annually to the said fund its proportionate share of the money necessary to pay the judge or judges of its district their respective salaries monthly for such year, based upon the assessment roll of the county for the previous year, and it is hereby made the duty of the county commissioners of each county to make such arrangements and orders as may be necessary to insure the forwarding of their county's quota of said district judges' salary fund to the state treasurer at such times and in such installments as will enable the state treasurer to pay each district judge one-twelfth of his annual salary on the first Monday of each and every month, and to cause such money to be forwarded by the county treasurer, and if necessary in order to render certain the forwarding of such money in ample time to prevent any default in said monthly installments said board of county commissioners shall transfer and use any moneys in the county treasuries except those belonging to the public school fund. No salary of any judge shall be paid in advance.

SEC. 2. This act shall take effect on the first Monday in January, 1919.

In effect 1919

CHAP. 84—*An Act to incorporate the town of Elko, in Elko County, and defining the boundaries thereof, and to authorize the establishing of a city government therefor, and other matters relating thereto.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

CHAPTER I

ORGANIZATION—BOUNDARIES—ANNEXATION OF ADJACENT TERRITORY—WARDS—POWERS.

SECTION 1. *Creation of Municipality.* All persons, inhab-^{"The City of Elko" created}itants of that portion of Elko County, Nevada, embraced within the limits hereinafter set forth shall be and constitute a body politic and corporate by the name and style of "The City of Elko," and by that name and style they and their successors shall be known in law, have perpetual succession and sue and be sued in all courts. The territory embraced in said city is that certain land situate in the county of Elko, State of Nevada, described as follows:

Commencing at the northwest corner of the southeast quarter of section nine, township thirty-four north, range fifty-five east, M. D. M., running thence east and parallel with the boundary lines between townships thirty-four and thirty-five north, range fifty-five east, two and one-half miles, to the northeast corner of the southeast quarter of section eleven, thence at right angles south two miles to the southeast corner of the northeast quarter of section twenty-three, thence at right angles west two and one-half miles to the southwest corner of the northeast quarter of section twenty-one, thence at right angles north two miles to the place of beginning, being the southeast quarter of section nine, south half of section ten, south half of section eleven, all of section fourteen, all of section fifteen, east half of section sixteen, northeast quarter of section twenty-one, north half of section twenty-two, and the north half of section twenty-three, all in township thirty-four north, range fifty-five east, M. D. B. & M.; and which shall include all the inhabitants, lands, tenements and real and personal property within the said boundaries and within the said divisions and subdivisions of land hereinabove described, and also, such other and additional lands and tenements as may, at any time hereafter, be embraced or included within established limits of said city as hereinafter provided. Such city shall have such powers, rights, authority, duties, privileges and obligations as are hereinafter set out and prescribed.

SEC. 2. *The Annexation of Adjacent Territory—Manner of Procedure Of.* Territory adjoining and contiguous to the corporate limits of the city of Elko may be annexed to said city upon application therefor in writing describing^{Annexation of adjacent territory}

Notice
published

said territory by metes and bounds, signed by a majority of persons residing within such territory, who are qualified to vote for the members of the legislature of the State of Nevada and who are taxpayers in the county of Elko, such petitioners to possess both of said qualifications. Upon the filing of such petition the board of supervisors shall cause to be given notice thereof by publication in a newspaper printed and published in said city at least once, and at least ten days prior to the meeting of said board, at which said petition may be acted upon. At such meeting the said board shall either accept or reject the said petition and declare or refuse to declare annexed to said city the property described in said petition.

Wards

SEC. 3. *Wards.* The city of Elko shall consist of four wards for the purpose of convenience of holding elections, but all elective officers shall be elected by the voters of said city at large.

Powers
of city

SEC. 4. *Additional Powers.* The said city shall have and be vested with all the rights, powers, property, and things of every kind now belonging to the town of Elko, and shall assume and pay all bonds, obligations, and indebtedness of said town of Elko now outstanding or which may exist at the time of the adoption of this charter, and may have and use a common seal and the same alter at pleasure, and may purchase, receive, hold, and enjoy real and personal property within or without the city, and sell, convey, and dispose of the same for the common benefit; and may determine and declare what are public uses, for the purposes of the city, and when the necessity arises or exists of condemning lands or property therefor; and what are the lands and property necessary to condemn; and may receive bequests, devises, gifts, and donations of all kinds of property, within or without the city, in fee simple or in trust, for charitable or other purposes, and do any, every, and all acts and things whatsoever, necessary to carry out the purposes of such bequests, devises, gifts, and donations, with full power to manage, sell, lease, or otherwise dispose of the same in accordance with the terms of such bequest, devise, gift, donation, or trust.

CHAPTER II

OFFICERS—ELECTIONS—CLAIMS AND ACCOUNTS—ORDINANCES—RECALL—IMPEACHMENT—ARRESTS.

Governing
board

SECTION 1. *Board of Supervisors—First Election Of.* The governing body of the city of Elko shall consist of a board of supervisors, composed of a mayor and four supervisors, whose first election shall be held in the manner and at the time as follows:

First—It shall be the duty of the board of county commissioners of Elko County, on or before the 5th day of April,

1917, to issue a proclamation for an election to be held within the limits of the city of Elko, said election to be held on a day to be fixed by said board of county commissioners, which shall not be less than twenty nor more than thirty days from the date of said proclamation. All of the qualified electors of the present town of Elko as described in section 1 of this act, as shown by the registered list at the last general election, shall have the right to vote at such election. Said proclamation shall state:

First election called

(a) That the qualified voters of the town of Elko shall vote on the question whether they shall accept the charter and be incorporated as a city, pursuant to the provisions as herein set forth;

Referendum vote on charter

(b) For the election of a mayor and four supervisors for the city of Elko, to be voted for and elected by the qualified electors of the town of Elko.

Mayor

Second—The board of county commissioners shall cause the said proclamation to be published in some newspaper in the town of Elko for a period of at least ten days prior to the date of said election, and printed notices of such proclamation shall be posted in three public places in said town. Said proclamation shall fully set forth the purposes of said election, and any and all other or further matters necessary or required fully and fairly to apprise the qualified electors of said precinct of the date, time and place of holding such election, the purpose thereof, the conditions under which the same is held, the name of the inspectors of such election, and such other matters as may be deemed proper in the premises, including a notice of such places, which shall not be less than three, in said city of Elko, at which a full and complete copy of said proposed charter shall be on display during said period, one of which shall be the office of the county clerk of said county.

Proclamation to be published in newspaper

Third—All provisions of the law relating to general elections so far as the same can be made applicable, and not inconsistent with the provisions of this act, shall apply to and be observed in the proclamation calling for and the conduct of such election hereinbefore provided for, as well as applied to and observed in the appointment of inspectors making and canvassing the returns of said election.

General election laws govern

Fourth—No candidate for office at such election shall be entitled to have his name placed upon the official ballot unless such candidate shall, at least ten days before the date of such election, file in the office of the county clerk of Elko County, a petition signed by at least ten per cent of the qualified electors of the town of Elko as shown by the registration list thereof at the last general election; such petition shall show that the nominee therein possesses the qualifications as required by this act for the office for which he is nominated. Each person desiring to become a candidate, and who shall have filed his petition as herein set forth, shall be entitled

Candidates must file petition

to have his name placed upon the official ballot as in this act provided.

County clerk
to provide
ballots

Fifth—The board of county commissioners shall authorize and direct the county clerk of said county to cause to be printed a sufficient number of ballots for said election upon which shall appear the names of the candidates for the offices above specified; also the words "For the Adoption of the Charter," "Against the Adoption of the Charter." The county commissioners shall, at least ten days before the election, also appoint for each ward of what has been heretofore known as Elko precinct, two inspectors and two clerks to conduct said election, and they shall conduct said election in accordance with the laws of the state governing elections. The officers of such election shall make returns to the board of county commissioners, who shall, within five days thereafter, meet and canvass said vote, and shall immediately cause to be entered upon their minutes the result of such canvass. They shall first canvass the votes for and against the adoption of the charter. If from such canvass they find that a majority of the electors have voted against the adoption of this charter, then they shall declare this charter rejected, and the offices to be filled at said election dissolved. If at said election and canvass they find that a majority of said votes have been cast in favor of the adoption of this charter, then they shall proceed to canvass the votes cast for the various officers under this charter and proclaim as follows: Said board of county commissioners shall forthwith cause a certificate of election to issue to the person receiving the highest number of votes for mayor. The four candidates receiving the highest number of votes for supervisor shall be declared elected to the office of supervisor for the city of Elko by the board of county commissioners of Elko County, who shall thereupon cause a certificate of election to be issued to each of such persons. The said board of county commissioners shall cause all the expenses of printing and publishing the said proclamation and of holding such election, and such other costs and expenses as may have been necessarily incurred prior to said election in the matter of the incorporation of said city to be paid out of the town fund of Elko.

Elective
officers
named

SEC. 2. *Officers—Elective.* The elective officers of the city of Elko shall consist of a mayor and four supervisors, as above provided.

Officers
elected in
May of each
year

SEC. 3. *Officers, Election of—Election, When and How Held—Supervisors.* After said election as above provided for and on the first Tuesday after the first Monday in May, 1919, and at each successive interval of two years thereafter, there shall be elected at large by the qualified voters of the city of Elko at a general election to be held for that purpose a mayor and four supervisors. Said officers shall hold office

for a period of two years and until their successors shall have been elected and qualified. The board of supervisors of said city shall order the general election and shall determine the places in said city for holding the same, and the mayor of said city shall make proclamation thereof, and otherwise said election and the manner of holding the same shall be governed by the laws of the State of Nevada governing general elections, so far as the same may be applicable thereto, and in the event there should be any failure on the part of the general election laws of the state to provide for some feature of said city election then the board of supervisors of said city of Elko shall have the power to provide for such deficiency.

Term,
2 years

SEC. 4. *Officers, Election of—Canvass of Returns, When and by Whom—Tie Vote Procedure.* On the Tuesday following said election, or as soon thereafter as practicable, the board of supervisors of the city of Elko then in office shall canvass the returns and declare the election of the candidates receiving the highest number of votes. And in the event it should appear that a tie vote exists as to any two or more of the candidates for any office made elective by popular vote the board of supervisors of the city of Elko shall forthwith summon the candidates who have received such tie votes to appear before such board, and such board in the presence of such candidates shall determine the tie by lot. The board of supervisors of said city of Elko shall thereupon cause to be issued to each of the successful candidates for said elective offices, a certificate of election, and such certificate or a certified copy thereof shall be received in evidence in any court in this state as *prima facie* evidence of the election of such officer.

Canvass of
election

Tie vote, how
decided

SEC. 5. *Officers, Appointive and Ex Officio—Enumeration of—Compensation.* The county treasurer and ex officio tax receiver of the county of Elko shall be ex officio treasurer and tax receiver of the city of Elko; the county assessor of the county of Elko shall be ex officio assessor of the city of Elko; the county recorder and ex officio auditor of the county of Elko shall be ex officio city auditor of the city of Elko; the city clerk of the city of Elko shall be ex officio license collector of the city of Elko. Each of the above-mentioned officers in this section set forth shall perform the respective duties of their offices under said city without extra compensation, but for the performance of the duties of city assessor relative to special assessments as in this act provided, the board of supervisors, upon the request of the city assessor, may appoint, for such time as his services may be necessary, a deputy city assessor to perform such duties relative to special assessments; and the board of supervisors shall fix and pay the deputy such compensation as they deem fit. The county treasurer and county assessor and the county auditor of the county of Elko shall be liable

Certain
county
officers to be
ex officio
city officers

Salaries

on their official bonds for the faithful discharge of the duties imposed on them by this act. The board of supervisors shall appoint a city clerk with a salary to be fixed by said board. Said board may also in its discretion appoint a city attorney at a salary to be fixed by said board or may in its discretion employ and compensate an attorney from time to time for such legal advice or services as they may deem necessary. Said board shall also appoint a city marshal at a monthly salary to be fixed by said board; also a judge of a municipal court at a salary to be fixed by said board. The board of supervisors may from time to time ordain and establish other offices with the right to fill the same by appointment and prescribe the duties thereof. The duties and compensation of the appointive officers shall be fixed, allowed, and paid by the board of supervisors out of such city funds as the board may designate. Any one or more of such appointive offices, may, in the discretion of the board of supervisors be combined and the duties thereof discharged by one person.

Qualifications of mayor and supervisors

SEC. 6. *Officers, Elective—Qualifications Of.* The mayor and each of the said four supervisors shall not be less than 25 years of age, citizens of the United States, and for at least two years immediately preceding their election residents of the city of Elko, qualified voters who are property owners and taxpayers in said city. All of the officers made elective by the popular vote shall within thirty days after the result of the election is ascertained, qualify as required by this charter and the constitution and laws of the State of Nevada, and failing to do so within the said time, such office shall be and become vacant.

Officers must take official oath

SEC. 7. *Official Oath, Qualification.* Every person elected by the voters of said city or by the board of supervisors to fill any office under this act, shall, before entering on the duties of his office take and subscribe to the official oath provided by the constitution of this state; and in addition thereto that he is not under any direct or indirect obligation to vote for, appoint or elect any person to any office, position or employment in the city government of the city of Elko. All official bonds herein provided for shall be filed with the city clerk of said city, with the exception of the bond of said clerk, which shall be filed and recorded in the office of the county recorder of the county of Elko. All elective officers herein provided for shall enter upon their duties upon receiving their certificate of election and upon filing their oath of office and bond duly approved by the district judge as in this act provided.

Bonds of officers approved by district judge

SEC. 8. *Officers, Bonds of—Approved by District Judge.* All officers elected by popular vote before entering upon the duties of their respective offices shall give bond in the sum of \$5,000, and all appointive officers whose bonds are not herein otherwise provided for shall give bond in such sum as may be

fixed by the board of supervisors of said city, payable to the city of Elko, Elko County, Nevada, conditioned for the faithful discharge of the duties of the office, which bond shall be signed by the principal and by two or more good and sufficient sureties to be approved by the district judge. The sureties may become severally liable in amounts not less than \$500 each, and each surety shall justify by subscribing to an affidavit annexed to said bond, to the effect that he is worth the sum for which he becomes liable, in property not exempt from execution, over his just debts and liabilities.

SEC. 9. Mayor and Supervisors, Salary Of. The mayor Salaries of said city shall receive as remuneration for his services, the sum of twelve dollars (\$12) per annum, payable in equal monthly installments; and each of the supervisors shall receive the sum of twelve dollars (\$12) per annum, payable in the same manner.

SEC. 10. Supervisors Not to Hold Other Office—Officers Officers not
Not to Contract with City or Make Bonds to City—For- to hold other
feiture of Office. No member of the board of supervisors shall hold any other public office or employment under the county of Elko, nor have employment thereunder, nor receive compensation for any other position or office which is paid out of the public money of the city of Elko, nor be elected nor appointed to any office created by or the compensation of which was increased or fixed by the board of supervisors while he was a member thereof. Nor shall any member of the board of supervisors of the city of Elko be pecuniarily interested directly or indirectly in any contract let by the city, nor in any matter wherein the rights or liberties of the city of Elko are, or may be, involved; nor shall any member of the board of supervisors of the city of Elko be interested directly or indirectly in any public work or contract let, supervised or controlled, or which shall be paid for wholly or in part by the city, nor shall any such supervisor become the surety of any person on any bond or other obligation of the city of Elko. Any member of the board of supervisors of the city becoming interested directly or indirectly as aforesaid, or by commission, or retainer, or fee, or by gift, or loan given or received at the time of the transaction or before or after the same, in any contract, franchise, work, purchase, or sale, by or with any of the agencies aforesaid, shall forfeit all rights or claim to the title and emoluments of the office which he may happen to hold in said city, and shall be expelled therefrom by the board of supervisors, or, if they shall fail to remove said member of the board of supervisors, guilty as aforesaid, he shall nevertheless be subject to removal upon the action of any five citizens taken in the district court of Elko County in such proceedings as are appropriate and proper.

SEC. 11. Officers, Elective—Removal of—Investigation. The board of supervisors shall have the power to remove any

Removal of
officers

elective officer for incompetency, corruption, malconduct, malfeasance or nonfeasance in office, or such other causes as may be prescribed by ordinance after notice in writing and opportunity to be heard in his defense, under the rules and regulations herein set forth. That whenever charges are preferred in writing under oath, against any such officer for any or all of the offenses named or provided for above, it shall be the duty of said board to have the accused duly served with a copy of such charges, and shall set a day to inquire into the truth of such charges, and shall notify the accused and other members of the said board, and the witnesses for and against the accused to be present and the said board of supervisors shall constitute a court to try and determine the case, and they are hereby vested with the exclusive jurisdiction to hear and determine said charges, and may continue the investigation from day to day upon proper showing to enable the accused or prosecutor to get material evidence before said board. The accused shall have the right to be heard in person or by counsel or both and said board shall likewise be represented by counsel, if they desire it. Upon the conclusion of the investigation and argument of the case, a vote shall be taken on each charge and specification, and if a majority of all the members of said board vote to sustain any such charge against the accused, said board shall enter or cause to be entered its judgment, in which shall be recorded the vote of each member of the board, upon the several charges and specifications, and an order shall be entered removing the accused from his office and declaring the same vacant. But if the vote is otherwise, the accused shall be declared not guilty and judgment entered accordingly, but such judgment shall not be prejudicial to the rights of recall as hereinafter provided.

Accused to
be heard in
his own
defense

Recall of city
officers

Procedure

SEC. 12. Recall of Officer—Procedure—Election of Successor. The holder of any elective office may be removed at any time by the electors qualified to vote for a successor of such incumbent. The procedure to effect the removal of an incumbent of an elective office shall be as follows: A petition signed by electors entitled to vote for a successor to the incumbent sought to be removed equal in number to at least twenty per centum of the entire number of persons entitled to vote in said city at said time, demanding an election for the recall of, or for the election of a successor to the person sought to be removed, shall be filed with the city clerk; *provided*, that the petition sent to the city clerk shall contain a general statement, in not more than 200 words, of the grounds for which the removal is sought. The signatures to the petition need not be all appended to one paper, but each signer shall add to his signature his place of residence, giving his street and number. One of the signers of each of such papers shall make an oath before an officer competent to administer oaths that each signature

is that of the person whose name purports to be thereunto subscribed. Within ten days from the filing of such petition, the city clerk shall examine same and from the list of qualified voters ascertain whether or not said petition is signed by the requisite number of qualified voters, and if necessary the supervisors shall allow him extra help for that purpose, and he shall forthwith attach to said petition a certificate showing the result of said examination. If by the clerk's certificate the petition is shown to be insufficient, it may be amended within ten days from the date of said certificate. The clerk shall within ten days after such amendment, make like examination of the amended petition, and if his certificate shall show same to be insufficient, it shall be returned to the person filing the same, without prejudice, however, to the filing of a new petition to the same effect. If the petition shall be found sufficient the clerk shall submit the same to the supervisors forthwith. If the petition shall be found to be sufficient, the board shall order and fix a date for holding the said election not less than thirty nor more than forty days from the date of the clerk's certificate to the board that a sufficient petition is filed. *Provided, however,* that if such officer shall offer his resignation within five days after the filing of the petition aforesaid, such resignation shall be accepted, and the vacancy thereby caused shall be filled in the manner provided by law; if such officer shall not resign, he shall continue to perform the duties of his office until the result of said special election shall be finally declared. The board shall make or cause to be made publication of notice and all arrangements for holding such election, and the same shall be conducted, returned, and the result thereof declared in all respects as are other city elections. On the ballot at said election there shall be printed verbatim, as set forth in the recall petition, the reason for demanding the recall of said officer, and, in not more than 200 words, the officer's justification of his course in office, if furnished by him. If there be no other candidate nominated to be voted for at said special election there shall be printed on the ballot the name of the officer sought to be recalled, the office which he holds and the words "For Recall" and "Against Recall"; if there be other candidates nominated for the office to be voted for at said special election, there shall be printed upon the ballot the name of the officer sought to be recalled, and the office which he holds, and the name or names of such other candidates as may be nominated to be voted for at said special election, and the words "For Recall" and "Against Recall" shall be omitted; in other respects the ballot shall conform with the requirements of the general election laws applicable to city elections. If there be other candidates nominated to be voted for at the special election, the candidate who shall receive the highest number of

Clerk shall
examine
petition

Proviso

No petition
for recall
until officer
has served
6 months

votes at said special election, shall be deemed elected for the remainder of the term, whether it be the person against whom the recall petition was filed or another. If any officer be recalled upon such special election, and other candidates are not nominated to be voted for at such special election, the vacancy thereby created shall be filled in the manner provided by law. No petition for the recall of any public officer shall be circulated or filed against any such officer until he has actually held his office six months. After one such petition and special election, no further recall petition shall be filed against the same officer during the term for which he was elected, unless said further petitioners shall pay into the public treasury, from which the expenses of said special election have been paid, the whole amount paid out of said public treasury as expenses for the preceding special election.

Other candidates for the office may be nominated to be voted for at said special election by petition, which said petition shall be signed by the qualified electors of said city qualified to vote for a successor of such incumbent equal in number to 20 per cent of the entire number of persons entitled to vote in said city at said time. Said nominating petition shall be filed with the officer with whom the said recall petition is filed, at least fifteen days prior to the date of said special election.

Vacancies,
how filled

SEC. 13. *Vacancy in Office—Resignation—Election of Successors.* Resignation by the mayor or any supervisor elected under this act, or any other charter officer created by this act, shall be made in writing to the board of supervisors for their action thereupon. In case of the removal of the domiciles of the mayor or any supervisor or any other charter officer from the territorial limits of said city, such removal shall *ipso facto* be deemed to create a vacancy in his office. In case of any vacancy from any cause in the office of mayor or any supervisor, the same shall be filled for the unexpired term by a majority vote of the remaining members of the board.

May
administer
oaths

SEC. 14. *Oaths, Who May Administer.* Each supervisor and the city clerk shall be and are hereby authorized to administer oaths in the municipal affairs and government of the city.

Powers of
supervisors

SEC. 15. *Board of Supervisors, Powers—Supervisors of Several Departments, Duties of—Designation of Mayor, Change Of.* Said board of supervisors so constituted shall have control and supervision over all of the departments of said city, and to that end shall have the power to make and enforce such rules and regulations as they may see fit and proper for and concerning the organization, management, and operation of all the departments of said city and whatever agencies may be created for the administration of its affairs. The mayor shall designate from among the supervisors, at the first meeting of the board after their election

and qualification, at each election, or as soon thereafter as may be practicable, one supervisor who shall be known as "Police Supervisor," who shall be the executive officer of his department and who shall have under his special charge the enforcement of all police regulations of said city, and who shall have the power to employ policemen and to discharge them at any time when in his discretion such action will improve the service, and to exercise any power and control over said department that he may deem necessary for the improvement of the service in said department; *provided, however*, his control so exercised shall not be in conflict with other provisions of this act, or ordinance of the city, or any rule or regulation, put in force by the supervisors; and one supervisor to be known as "Supervisor of Streets and Public Property," who shall be the executive officer of his department, and who shall have under his special charge the supervision of streets, alleys, public grounds, and property of said city, and be charged with the duty of keeping the streets and alleys, public grounds, and property clean and in a sanitary condition, and with the enforcement of all rules and regulations necessary to these ends; and one supervisor to be known as the "Fire, Water, Sewerage, and Light Supervisor," who shall be the executive officer of his departments and who shall see to the enforcement of all rules and regulations with respect to said departments, and shall see that all contracts with reference thereto are faithfully complied with, and that the conditions of the grant of any franchise privileges are faithfully complied with, and performed; and who shall have general supervision over the fire department and the power to employ firemen and to discharge them at any time when, in his discretion, such action will improve the service, and to exercise any power and control over said departments that he may deem necessary for the improvement of said departments; *provided, however*, that his control so exercised shall not be in conflict with other provisions of this act, or ordinance of the city, or any rule or regulation put in force by the board of supervisors; and one supervisor known as the "Supervisor of Finance and Revenue," who shall be the executive officer of his department, and who shall have under his special charge the enforcement of all laws for the assessment and collection of taxes of every kind and the collection of all revenues belonging to said city, from whatever source the same may be derived, and who shall also examine into and keep informed as to the finances of the city; it being the purpose of this act to charge each supervisor in control of a department with its management, and to fix directly upon him the responsibility for its proper conduct; *provided*, the mayor shall have the power at any time when in his discretion it is for the best interests of the service in any department under the special charge of any

Departments
of city
government

Heads of
departments
may be
transferred

supervisor to recall the appointment of such supervisor and designate another supervisor as the supervisor of such department, and to designate the supervisor so removed supervisor over another department.

Powers and
duties of
mayor

SEC. 16. *Mayor, Powers and Duties.* The mayor shall be the chief executive officer of the city of Elko and shall be ex officio president of the board of supervisors, and shall see that all the laws thereof are enforced; he shall be clothed with all the authority that is now or may hereafter be vested in a mayor by general law so far as the same may be applicable and not in conflict with this act. He shall have and exercise such power, prerogative and authority, acting independent of or in concert with the board of supervisors, as are conferred by the provisions of this act, as may be conferred upon him by the board of supervisors, and not inconsistent with the general purpose and provisions of this charter, and shall have the power to administer oaths, and shall sign all contracts and shall have the right and authority at any time to suspend any officer or employee of the city subject to the provisions of this act; *provided, however,* he shall not have the right to remove one of the supervisors of the city or other charter officer except by acting in concert with the other members of the board of supervisors when present and may vote on all questions the same as other supervisors. In the event of a vote in an acting board consisting of four members including the mayor, which shall result in a vote of two against two, the manner in which the vote is cast by the mayor shall determine the question.

Claims and
accounts;
warrants,
how issued

SEC. 17. *Claims and Accounts—Warrants, How Issued—Financial Statements, Publication Of.* The supervisor named at the head of each department shall audit all accounts or claims against it unless he is absent or fails or refuses to do so, in which event the mayor shall appoint another supervisor to act in his stead during his absence, or to audit such claims or accounts as said supervisor shall fail or refuse to act upon, but before payment all accounts shall be approved by the board of supervisors and no money shall be paid for any purpose except upon warrant executed by the mayor and attested by the city clerk upon order of the board. The city clerk shall certify the claim when so allowed by the board, to the city auditor, who shall, if such claim is approved by him, draw a warrant upon the treasurer for the amount so allowed and shall state in general terms the nature of the claim, and when so presented to the treasurer, the same shall be paid by him. The auditor shall have the same power of veto that he now exercises in regard to county claims, and the board shall have the right to pass a claim over such veto by a vote of four members of such board. The holder of any claim which has been rejected in whole or in part may, within six months after such rejection, commence an action in any court of competent jurisdiction

Auditor may
veto claims

for the recovery of the amount so rejected, and if such action be not commenced within such period, such claim or amount so rejected, together with the right of action thereon, shall be forever barred, and the board of supervisors shall not have power to allow or pay the same in whole or in any part at any time subsequently. The action shall be against the city, and service of summons in all actions against the city shall be upon the mayor, or, in the event of his absence, upon the vice-president of the board. In case of final recovery of judgment by the plaintiff in any action against the city, no execution shall issue therefor, but the board must allow the amount of the same with costs as taxed by the court. The supervisors shall cause complete and full records of all such claims and transactions to be kept by the city clerk in books secured for that purpose; said board of supervisors shall require a statement to be published or posted, as may be designated by them, in January, April, July and October of each year showing a full and clear and complete statement of all taxes and other revenue collected and expended during the preceding quarter, indicating the respective sources from which the moneys are derived and also indicating the disposition made thereof and all outstanding bonds and other obligations.

Rejected
claims

Financial
statements
to be
published

SEC. 18. *Board of Supervisors—Meetings—Special Meetings—Quorum.* The board of supervisors created by this act shall meet at least once a month in regular meeting at such time as shall be fixed by said board, at the city hall or other designated place in said city, to consider and take under advisement and act upon such business as may come before them. Three supervisors or the mayor and two supervisors shall constitute a quorum for the transaction of all business, but no final action shall be taken in any matter concerning the special department of any absent supervisor unless such business has been made a special order of the day, or such action is taken at a regular meeting of the board; *provided*, that no bonds may be issued nor taxes levied except at a regular meeting attended by at least three supervisors and the mayor, or by four supervisors without the mayor. Special meetings may be called by the mayor or by any two supervisors at any time to consider only such matters as shall be mentioned in the call for said meeting. Written notice of such special meeting shall be given to each member of said board by registered mail, with the postage and registry charges prepaid, and addressed to each member of said board at Elko, Nevada, at least three days prior to the time for such special meeting. The registry receipts showing that such notices have been sent by registered mail shall be conclusive evidence that such notice has been given as herein provided, and that such special meeting was held pursuant to notice duly, regularly, and legally given. Any proceedings had at any special meeting of said

Regular
meetings
once a month

Quorum

Special
meetings

board wherein all of the members thereof shall be present shall be as legal and valid as if had at a regular meeting or at a special meeting upon due notice. A special meeting may be held by unanimous written consent at any time without the giving of the notice herein above provided for. Any action of a majority of the board of supervisors, although not at a regularly called meeting, and the record thereof, if assented to in writing by all of the other members of the board, shall always be as valid and effective in all respects as if passed by the board in regular meeting. All official sessions of said board, whether regular or called, shall be open to the public.

Power to
enact
ordinances

Style of
ordinance

Board shall
determine its
own rules of
procedure

Vice-
president of
board

To act in
absence of
mayor

SEC. 19. *Ordinances—Power to Enact—How Enacted—Style Of.* The board of supervisors of said city shall be vested with the power and charged with the duty of making all laws or ordinances not inconsistent with the constitution of this state or with this charter touching every object, matter and subject within the local government instituted by this act, and the style of all ordinances shall be: "Be it ordained by the Board of Supervisors of the City of Elko," but such caption may be omitted when said ordinances are published in book form or are revised and digested under order of the board.

SEC. 20. *Board of Supervisors—Procedure—Impeachment.* The board of supervisors shall determine its own rules of procedure in so far as the same do not conflict with this act, may punish its members for disorderly conduct, shall compel the attendance of its members, and with the concurrence of a majority of the members elected, may impeach and expel any member. Any member of the board of supervisors who shall have been convicted of bribery or any other felony, or who shall violate any other provision of this act, shall forfeit his office and emoluments attached thereto.

SEC. 21. *Vice-President—Election and Term of Office.* At the first regular meeting of the board of supervisors after their induction into office, it shall be the duty of the board to elect one of its members by a majority vote of the board who shall be known and designated as vice-president, and he shall continue to hold the title and the office until the expiration of the term of office for which he was elected by the supervisors; but he shall receive no extra pay by reason of being or acting as vice-president.

SEC. 22. *Vice-President—Duties—Procedure in Absence of Mayor and Vice-President.* If for any reason the mayor is absent from the city, sick or unable to perform the duties of his office, the vice-president shall act as mayor, and he shall be vested with all the powers and shall perform all the duties of the mayor during such absence or sickness. In case of the absence of both the mayor and the vice-

president, the remaining supervisors shall elect one of their number to act instead of the mayor or vice-president.

SEC. 23. Vice-President—Duties—Title—When to Serve as Mayor. In case of the death, resignation, or permanent disability of the mayor, or whenever a vacancy in the office of mayor shall occur for any reason, the vice-president shall act as mayor and possess all the rights and the powers of the mayor and perform all of his duties under the official title, however, of vice-president and ex officio acting mayor, until the next municipal election. The board shall, by appointment, fill the vacancy thus created in the office of supervisor.

To succeed mayor, when

SEC. 24. Board of Supervisors—Investigations by—Contempt—False Swearing. The mayor and the board of supervisors may, and it shall be their duty, at any time, to investigate each and every department of the city government and the official acts and conduct of the city officials, and for the purpose of ascertaining facts in connection with such investigation, shall have the power to compel the attendance and testimony of witnesses, to administer oaths, and to examine such persons as they may deem necessary, and compel the production of books and documents. Failure by any one to appear when served by a notice so to do shall be contempt, which may be punished by fine, and in default of the payment thereof, the person so fined may be imprisoned. Wilful, false swearing in such investigations and examination shall be perjury and punishable as such.

Mayor and board may investigate any department

SEC. 25. Officers, Subordinate — Duties Restricted and Altered—Bonds. The board of supervisors shall have the power, and it shall be their duty to prescribe by ordinance, the powers and duties of all officers of the city, whether elected or appointed, where the same have not been provided for in this act, and shall have authority from time to time to add thereto, alter or restrict the same, and shall require of all such officers as they may deem necessary, to execute bonds payable to the city of Elko in such amount and form as the board of supervisors may provide, with good and sufficient sureties, to be approved by the board of supervisors, conditioned for the faithful discharge of their respective duties. The board of supervisors shall have the power at any time to require any of such officers to execute a new bond or bonds when the existing bond or bonds shall, for any reason, be deemed by the board insufficient.

To prescribe duties of city officers

SEC. 26. Police—Duties. For the preservation of the peace, the police and watchmen shall have all the powers given by law to constables. It shall be their duty to suppress all riots, disturbance and breaches of the peace; to arrest all persons fleeing from justice, to apprehend upon view any person found in the act of committing any offense against the laws of the state, or violating the ordinances of the city, and to take the offender before the proper magistrate or officer to be punished; to make complaints before

Powers and duties of police

the proper magistrate of any person known or believed by them to be guilty of crime or any violation of the ordinances of the supervisors, and to serve all processes that may be delivered to them for that purpose, and generally to perform all such duties as may be required by the supervisors for the good government of the city.

Municipal
court

SEC. 27. *Municipal Court.* There shall be in said city a municipal court; the papers, pleadings filed therein, and processes issuing therefrom shall be entitled "In the Municipal Court of the City of Elko."

Police judge,
qualifica-
tions, powers
and duties of

SEC. 28. The municipal court shall be presided over by a police judge, who shall be a citizen of the state and resident of the said city for not less than one year and who shall be a qualified elector of said city. The municipal court shall have such powers and jurisdiction in the city as are now provided by law for justice of the peace, wherein any person or persons are charged with breach or violation of the provisions of any ordinance of said city or of this act, or of a violation of a municipal nature, and the said court shall have concurrent jurisdiction with the justice of the peace in both civil and criminal matters arising and triable within the limits of said city and be governed by the same rules and receive the same fees as are now or may be provided by law; *provided*, that the trial and proceedings in such cases shall be summary and without a jury. The court shall have exclusive jurisdiction to hear, try and determine all cases, whether civil or criminal, for the breach or violation of any city ordinance or any provision of the charter of a police nature, and shall hear, try, determine, acquit, convict, commit, fine or hold to bail in accordance with the provisions of such ordinances or of this charter. The practice and proceedings in said court shall conform, as nearly as practicable, to the practice and proceedings of the justice courts in similar cases. Fines imposed by the court may be recovered by execution against the property of the defendant, or the payment thereof enforced by imprisonment in the city or county jail, at the rate of one day for every two dollars of such fine, or said court may, in its discretion, adjudge and enter upon the docket a supplemental order that such offender shall work on the streets or public works of said city, at a rate of two dollars for each day of the sentence, which shall apply on such fine until the same shall be exhausted or otherwise satisfied.

Court has
exclusive
jurisdiction
of cases for
violation
of city
ordinances—

And cases
for collection
of city taxes

Said court shall have jurisdiction of any action for the collection of taxes or assessments levied for city purposes, when the principal sum thereof does not exceed three hundred dollars; also of actions to foreclose liens in the name of the city for the nonpayment of such taxes or assessments where the principal sum claimed does not exceed three hundred dollars; also of any action for the collection of any money payable to the city from any person when the

principal sum claimed does not exceed three hundred dollars; also for the breach of any bond given by any officer or person to or for the use or benefit of the city, and any action for damages in which the city is a party, and upon all forfeited recognizances given to or for the use or benefit of the city, and upon all appeal bonds given on appeals from said court in any of the cases above named, when the principal sum claimed does not exceed three hundred dollars; also for the recovery of personal property belonging to the city when the value thereof does not exceed three hundred dollars; *provided*, that nothing herein contained shall be so construed as to give such court jurisdiction to determine any such cause when it shall be made to appear by the pleadings or the verified answer that the validity of any tax, assessment, or levy shall necessarily be in issue in such cause, in which case the court shall certify such cause to the district court in like manner and with the same effect as provided for by law for certification of causes by justice courts.

Proviso

The said court shall have jurisdiction of offenses committed within the city, which violate the peace and good order of the city, or which invade any of the police powers of the city, or endanger the health of the inhabitants thereof, such as breaches of the peace, drunkenness, intoxication, fighting, quarreling, dog fights, cock fights, routs, riots, affrays, violent injury to property, malicious mischief, vagrancy, indecent conduct, lewd or lascivious cohabitation or behavior, and all disorderly, offensive, or opprobrious conduct, and of all offenses under ordinances of the city.

Other cases

The said court shall be treated and considered as a justice court whenever the proceedings thereof are called into question. The court shall have power to issue all warrants, writs and process necessary to a complete and effective exercise of the powers and jurisdiction of said court, and may punish for contempt in like manner and with the same effect as is provided by the general law for justices of the peace.

To be treated as justice court

The police judge shall keep a docket in which shall be entered all official business in like manner as in justice courts. He shall render monthly or oftener, as the supervisors may require, an exact and detailed statement in writing, under oath, of the business done and of all fines collected, as well as imposed but uncollected, since his last report, and shall at the same time render and pay unto the city clerk all fines collected and moneys received on behalf of the city since his last report.

Police judge to keep docket

In all cases in which the police judge shall by reason of being a party, or being interested, or related to either defendant or plaintiff, or complaining witness, as the case may be, by consanguinity or affinity within the third degree, or in case of his sickness, absence or inability to act, any justice of the peace of said county, on the written request of

Justice of the peace to act, when

the mayor, may act in the place and stead of such justice of the peace, and the supervisors shall have power to apportion ratably the salary or compensation of such police judge to such justice of the peace so serving, and deduct the sum so apportioned from the salary of such police judge.

Appeals

Appeals to the district court may be taken from any final judgment of said municipal court, in the same manner and with the same effect as in cases of appeal from justice courts in civil or criminal cases, as the case may be.

Warrants

All warrants issued by the municipal court shall run to any sheriff or constable of the county or the marshal or any policeman of the city.

Ordinances,
how passed

SEC. 29. *Ordinances — Procedure — Referendum — Initiative—Emergency Measures—Repeal—Notices.* Ordinances when first proposed shall be read aloud in full to the board of supervisors and final action thereon shall be deferred until the next regular meeting of the board, of which action notice shall be given by publication in a newspaper at least once and at least one week prior to the meeting at which such final action is to be taken, which notice shall state briefly, by reference to the title of the proposed ordinance or by reference to the purpose or content thereof, the nature of such proposed ordinance; *provided, however*, that in cases of emergency, by unanimous consent of the whole board, such special action may be taken immediately or at a special meeting called for that purpose. No ordinance shall be passed as an emergency measure unless reasons for passing it as such are expressed in its preamble.

Proviso in
emergency
cases

Regular
ordinance
not in effect
until 30 days
after its
passage

No ordinance passed by the board, unless it be an emergency measure, shall go into effect until thirty days after its passage. If at any time during said thirty days, a petition signed by qualified electors numbering not less than twenty per cent of those who voted at the last preceding general municipal election, requesting the repeal of the ordinance or its submission to a referendum, be presented to the board, such ordinance shall thereupon be suspended from going into operation, and it shall be the duty of the board to reconsider such ordinance. If upon reconsideration such ordinance is not repealed, the board shall, after the sufficiency of the referendum petition has been certified to by the city clerk, submit the ordinance to a vote of the electors of the municipality at a special election, unless a regular municipal election is to be held within ninety days, in which event it shall be submitted at such regular municipal election. No ordinance submitted to a vote of the electors shall become operative unless approved by a majority of those voting thereon.

Referendum,
when

Emergency
measures
subject to
referendum

Emergency measures shall be subject to referendum like other orders passed by the board, except that they shall go into effect at the time indicated in them. If, when submitted to a vote of the electors, an emergency measure is not

approved by a majority of those voting thereon, it shall be considered repealed as regards any further action thereunder.

Any proposed ordinance, resolution or amendment to this charter, may be submitted to the board by petition signed by qualified electors numbering not less than 20 per cent of those who voted at the last preceding general city election. The form, sufficiency and regularity of such petitions, shall be determined in the manner herein provided. The petition presenting the proposed ordinance, resolution or amendment shall contain a statement in not more than 200 words giving the petitioners' reason why such ordinance, resolution or amendment should be adopted; and if such petition shall contain a request that the said ordinance, resolution or amendment be submitted to a vote of the people, the board shall either (a) pass such ordinance without alteration at its next regular meeting, after the sufficiency of said petition has been determined and certified to by the clerk, or (b) immediately after its refusal to pass such ordinance, resolution or amendment at such meeting, and after certification by the clerk as to the sufficiency of the petition, call a special election, unless a general city election is to be held within ninety days thereafter, and at such special or general election submit such proposed ordinance, resolution or amendment without alteration to a vote of the electors of the city. The ballot used when voting upon any such ordinance shall contain a brief statement of the nature of the ordinance, and the two propositions in the order here set forth :

Regulations
regarding
referendum

"For the ordinance."

Form of
ballot

"Against the ordinance."

and shall be printed as provided herein or in the general election laws. Immediately to the right of each of the propositions shall be placed a square in which the elector by making a cross (X) mark, may vote for or against the adoption of the ordinance. If a majority of the qualified electors voting on the proposed ordinance shall vote in favor thereof, it shall thereupon become a valid and binding ordinance of the municipality. Any number of proposed ordinances may be voted upon at the same election in accordance with the provisions of this section, but there shall not be more than one special election for such purpose in any period of six months. Ordinances adopted under the provisions of this section shall not be repealed or amended except by direct vote of the people as herein provided.

All ordinances shall be signed by the mayor and attested by the city clerk and be published in full, together with the names of the supervisors voting for or against their passage, in a newspaper published in such city, if any there be; otherwise some newspaper published in the county and having a general circulation in such city, for the period of at least one week, before the same shall go into effect; *provided*, that whenever a revision is made and the revised

Ordinances,
with vote
thereon, to be
published in
newspaper

Ordinances
recorded

ordinances are published in book or pamphlet forms by the authority of the board, no further publication shall be deemed necessary. The city clerk shall record all ordinances in a book kept for that purpose, together with the affidavits of publication by the publisher, and said book or certified copy of the ordinances therein recorded, in the name of the city, shall be received as *prima facie* evidence in all courts and places without further proof, or if published in book or pamphlet forms by the authority of the said board of supervisors, they shall be so received.

SEC. 30. The said board of supervisors shall have the following powers:

Powers and
duties of
board of
supervisors
of Elko

To make and pass all ordinances, resolutions and orders, not repugnant to the constitution of the United States or of the State of Nevada, or to the provisions of this act, necessary for the municipal government and management of the city affairs, for the execution of all powers vested in the city and for making effective the provisions of this act; and to enforce obedience to such ordinances with such fines or penalties as the said board may deem proper; *provided*, that the punishment of any offense shall be by a fine not to exceed three hundred dollars or by imprisonment not to exceed six months, or by both such fine and imprisonment.

2. To control the finances and property of the corporation.

3. To appropriate same for corporate purposes only, and to provide for the payment of all debts and expenses of the corporation.

4. To levy and collect taxes within the city for general and special purposes on real and personal property as provided by law.

5. To borrow money on the credit of the city for corporate purposes in the manner and to the extent allowed by the statutes and the laws, and to issue warrants and bonds therefor in such amounts and forms and on such conditions as the board shall determine; and the said board may secure the payment of any bonds of the city by making them a preferred lien against the real or other property of the city; *provided*, that said city shall not issue or have outstanding at any time bonds to an amount in excess of 10 per cent of the total valuation of the taxable property within its limits as shown by the last preceding tax list or assessment roll, nor warrants, certificates, scrip, or other evidences of indebtedness, excepting the bonded indebtedness, in excess of 2 per cent of said assessed valuation; *and provided further*, that nothing herein contained shall be construed to restrict the powers of said city as to taxation, assessment, borrowing money, contracting debts, or loaning its credit for procuring water, light, and heat. The said board shall provide for the payment of interest on such bonds as the same shall become due and for a sinking fund for the payment of the principal within thirty years after

Powers and
duties of
board of
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issuing same. The board shall have the power to acquire or establish any public utility only in the manner herein provided, nor shall any other bonded indebtedness be incurred except in said manner. The board shall issue a proclamation which shall set forth briefly the public utility proposed to be acquired or established; the estimated cost thereof as shown by the report provided by the board and mayor, or an engineer or party theretofore appointed by the board for that purpose; the proposed bonded indebtedness to be incurred therefor; the terms, amount, rate of interest, and time within which redeemable and on what fund. Such proclamation shall be published in full at least once a week for four successive weeks in some newspaper of general circulation published in the city, and shall state the date of the meeting at which said board will pass an ordinance providing for said bond issue. At the first regular meeting of the board, or any adjournment thereof, after the completion of said publication, the board shall proceed to enact an ordinance for such purposes, which shall conform in all respects to the terms and conditions of the previously published proclamation, and without submitting said question to a vote of the electors of said city; *provided, however*, that if a petition shall be presented to said board signed by not less than 20 per cent of the qualified electors of the said city as shown by the last preceding registration list and representing not less than 10 per cent of the taxable property of said city as shown by the last preceding tax list or assessment roll (and corporate signatures by authorized officers shall be accepted in estimating said 10 per cent), asking for a special election upon the question of whether or not the proposed ordinance shall be passed, then, and in that event, no such ordinance shall be enacted except pursuant to a special election called and held for such purpose and carried by a majority of the votes cast. Any ordinance thus passed providing for the issuance of bonds shall be valid (1) if passed by said board in the absence of the filing of a petition and election, or (2) if such petition be filed and election had, then if passed by said board pursuant to a majority vote in favor of said ordinance. The petition for an election herein referred to may be filed with said board at any time prior to the date of meeting set in said published notice.

6. To issue bonds in place of or to supply means to meet maturing bonds or for the consolidation or refunding of the same, but no such consolidating or refunding bonds shall be issued except in the manner provided in subdivision 5 of section 30 of this chapter.

7. To divide the city into districts for the purpose of local taxation or to create districts for that purpose as occasion may require.

8. To raise revenue by levying and collecting a license fee

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or tax on any private corporation or business within the limits of the city and to regulate the same by ordinance. All such license fees and taxes shall be uniform in respect to the class upon which they are imposed.

9. To fix the amount of licenses and terms and manner of their issuance.

10. To fix, impose and collect a license tax on and to regulate all character of lawful trades, callings, industries, occupations, professions and business conducted in whole or part within the city, including all theaters, motion pictures, theatrical or melodeon performances, skating rinks and performances of any, every and all kinds for which an admission fee is charged, or which may be held in any house, place or enclosure where wines, spirituous, malt, vinous or intoxicating liquors are sold or given away; circuses, shows, billiard tables, pool tables, bowling alleys and exhibitions and amusements. To fix, impose and collect a license tax on and regulate all dairies and dairy supply markets, taverns, hotels, restaurants, chop houses, cafés, saloons, eating houses, lunch counters, bar rooms, games and gaming houses, lodging houses accommodating four or more lodgers, manufacturers, laundries, livery stables, sale stables, cattle or stock corrals, express companies, telegraph and telephone companies, oil wells, or tanks, oil refineries, tanneries, foundries, brick yards, pressed-brick yards, street railway companies, operating in whole or in part within the city. To fix, impose and collect a license tax on and regulate auctioneers and stock brokers. To fix, impose and collect a license tax on, regulate, prohibit or suppress tippling houses, dram shops, saloons, bars, bar-rooms, raffles, hawkers, peddlers, except those dealing in their own agricultural products, of this state. To fix, impose and collect a license tax on, regulate, prescribe the location of or suppress all saloons, barrooms, tippling houses, dram shops, any and all places where intoxicating drinks are sold or given away, street fakirs, street peddlers, except as above stated, fortune tellers, mediums, astrologers, palmists, clairvoyants, phrenologists, pawn shops, pawn brokers, oil wells, oil tanks, oil refineries, soap manufacturers, brick yards, livery, feed or sale stables, stock corrals, foundries and machine shops.

To prohibit and suppress all dog fights, prize fights, cock fights, bear, bull or badger baits, sparring and sparring contests. To regulate, prohibit the location of, and suppress, all houses of ill-fame, hurdy-gurdy houses, bawdy houses, and any and all places to which persons resort for lewd or lascivious purpose, or purposes of lewdness or prostitution, including dance houses and saloons having special attractions such as music or otherwise.

To fix, impose and collect a license tax on street cars, telephones, gas meters, electric meters, water meters, or any other similar device for measuring service; also telephone,

telegraph, electric light and power poles and wires—such license tax to be exclusive of and in addition to all other lawful taxes upon the property of the holder thereof.

To fix, impose and collect a license tax on and regulate all lawful professions, trades, callings, and business whatsoever, including grocers, merchants of any, every and all kinds, trades and traders of all kinds, hotels, butcher shops, slaughter houses, wood and fuel dealers, coal dealers, sewing-machine agents, marble or stone dealers, saddle or harness makers or shops, cigar stores, stationery stores, confectionery stores, newspaper stands, plumbing shops, tin shops, where separate from hardware stores, paint or oil stores, bicycle shops, repair shops, cycleries, garages, newspapers or publications, ice peddlers, insurance companies, fire, life and accident, and agents or solicitors for the same, surety companies and agents or solicitors for the same, shooting galleries, upholsterers, soap factories, barber shops, collection agencies, and collectors, carpet cleaners, photographers, wagon makers, wheel wrights, blacksmith shops, horseshoeing shops, tailors and tailor shops, shoe shops, cobblers, tinkers, cloth cleaning and dyeing establishments, all billiard or pool games, or other or any table games played with cue and balls, or other mechanical device, bakeries, milliners, gunsmith shops, steam renovating works, dressmaking establishments, telephone companies, electric light, water and power companies, ice ponds and ice plants, bankers, brokers of any, every and all kinds, electric supply houses, job printers, manufacturers of soda water or other or any soft drinks, or of beer, malt, spirituous or vinous liquors or other or any alcoholic beverages, brewing companies, brewing agencies, patent medicine agencies, agencies of any and all kinds, wholesale liquor houses, ore purchasers or brokers, sampling works, flour mills, city express and job wagons, draymen, second-hand stores, messenger service establishments, contractors, contracting mechanics or builders, sash and door factories, planing mills, machine shops, car shops, building and loan companies and agents and solicitors for the same, real estate agents, real estate solicitors, pop corn, peanut, delicatessen, fruit and lemonade stands, refreshment or coffee stands, booths and sheds, dry-goods stores of every, any and all kinds, boot and shoe stores, furniture stores, drug stores, undertakers, glass and crockery stores, tamale stands or shops, abstract of title companies or persons furnishing abstracts of title, iron works, notions and notion stores, pipe and tobacco stores, advertising by billboards, placards and the like, bootblacks and bootblack stands, gun stores, sporting, hunting and fishing tackle stores, jewelry stores, resorts for amusement of all kinds, and all and singular each, every and any business, and all trades and professions, including attorneys, doctors, physicians and dentists, and all character of lawful business or callings not herein specifically named;

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provided, that in fixing licenses the board must make the same uniform as to each trade, calling, business, occupation or profession; *and provided further*, that said board may exempt from such license tax any performance, game or exhibition the proceeds of which are to be devoted to public, religious, school, educational or charitable purposes.

11. To fix, impose, and collect an annual per capita tax on all dogs and to provide for the capture and destruction of all dogs on which said tax shall not be paid. To fix, impose and collect a license tax on and regulate hacks, hackney coaches, cabs, omnibuses, express wagons, drays, job wagons and other public vehicles and all automobiles, taxi cabs, and jitneys operated for hire, and to regulate their charges, and to require schedules of charges to be posted in or upon such public vehicles. To fix, impose and collect a license tax on, regulate, prohibit or suppress runners for hotels, taverns or other businesses, and to fix, impose and collect an annual license tax on privately owned and operated automobiles, automobile trucks and motorcycles operated within the city limits.

12. To lay out, establish, open, alter, widen, extend, establish and enforce a uniform grade for grade, pave, or otherwise improve streets, alleys, avenues, sidewalks, parks and public grounds, and to vacate the same.

13. To plant or direct and regulate the planting of ornamental shade trees, in, along and upon streets, avenues, sidewalks, parks and public grounds.

14. To regulate and control the use of streets, alleys, avenues, sidewalks, crosswalks, parks and public grounds.

15. To prevent and remove obstructions and encroachments upon the same.

16. To provide for and regulate crosswalks, curbs and gutters.

17. To name streets, avenues, or other public places, and to change the names thereof.

18. To regulate or prohibit traffic and sales upon the street and sidewalks, and in public places.

19. To regulate the use of sidewalks and all structures thereunder or thereover, and to require the owner or occupant of any property to keep the sidewalk in front or along the same free from snow and other obstructions.

20. To regulate and prevent the throwing or depositing of ashes, offal, dirt, garbage, or any offensive matter in, and to prevent injury or obstruction to, any street, avenue, alley, park or public ground.

21. To regulate or prohibit the use of streets, avenues, alleys, sidewalks, public buildings and grounds, for signs, sign posts, awnings, poles for the support of wires or cables, horse troughs or racks, or for posting handbills or advertisement.

22. To regulate or prevent the flying of flags, banners, or signs, across the street, or from buildings.

23. To regulate or prohibit the exhibition, distribution or carrying of placards or handbills in the streets, avenues, alleys, public grounds, or upon the sidewalks.

24. To regulate the speed of horses and other animals, bicycles, automobiles, motorcycles, and other conveyances and vehicles, and cars and locomotives within the limits of the corporation, and to prescribe the length of time any street may be obstructed by trains being made, or cars standing thereon; and to prevent horseracing, immoderate driving or riding in the streets, alleys, avenues, and public places.

25. To regulate or prohibit any public demonstrations and processions.

26. To compel persons to fasten animals attached to vehicles standing or remaining in the streets, alleys, avenues and public places.

27. To prevent or regulate the rolling of hoops, playing of ball, flying of kites, riding of bicycles or tricycles, or any other amusement or practice having a tendency to annoy persons passing in the streets or on the sidewalks, or to frighten teams or horses.

28. To regulate the ringing of bells, blowing of horns, and bugles, crying of goods by auctioneers and others, and the making of other noises for the purpose of business, amusements or otherwise, and to prevent all orations, harangues, loud outcries, performances and devices tending to the collection of persons on the streets or sidewalks.

29. To construct and keep in repair bridges, viaducts and tunnels, and to regulate the use thereof.

30. To permit, regulate or prohibit the locating, constructing or laying of the tracks of any railroad, street railway or tramway in any street, avenue, alley or public place, and to grant franchises to persons or corporations to lay, maintain and operate in, upon, along, through or across any street, alley, avenue, or any part or parts thereof, of said city or other public places therein, railroad tracks, street car tracks, and connecting and terminal tracks.

31. To declare a nuisance and to take up and remove, or to cause to be taken up and removed, the tracks of any railway, which shall have been laid upon, in, along, through or across any of the streets, alleys, avenues, or public places of the city and which shall not have been operated continuously with cars for public use for a period of one year after the laying thereof.

32. To require railroad companies to fence their respective railroads or any portion of the same, and to construct cattle guards, crossings of streets, alleys, avenues, and public places, and keep the same in repair within the limits of the city.

33. To require railroad companies to provide protection

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against injury to persons or property; to compel said companies to raise or lower their tracks to conform to any grade which may at any time be established by such city, so that such tracks may be crossed at any place on any street, alley, or avenue; to compel railroad companies to make and keep open and to keep in repair, ditches, drains, sewers and culverts along and under their railroad tracks so that the natural or artificial drainage of adjacent property shall not be impaired.

34. To provide for the lighting, sprinkling and cleaning of the streets, alleys, avenues, sidewalks, crosswalks, parks and public grounds.

35. To regulate the opening and use thereof for the laying of conduits, gas or water mains, or pipes, and the building and repairing of sewers, tunnels and drains.

36. To contract with, authorize or grant any person, company or association a franchise to construct, maintain and operate gas, electric or other lighting or heating works in the city, and to give such persons, company or association, the privilege of furnishing light for the public buildings, streets, sidewalks and alleys of said city.

37. To provide for the lighting of streets, laying down of gas pipes and erecting of lamp posts; to regulate the use of gas, natural gas and electric and other lights and electric power, and to regulate the inspection thereof.

38. To construct and maintain water works, gas works, electric light works, street railways, or bath-houses, or to authorize the construction and maintenance of the same by others, or to purchase or lease any or all of said works from any person or corporation.

39. To construct or authorize the construction of water works without the city limits for the supply of said city; and for the purpose of maintaining and protecting the same from injury and the water from pollution, their jurisdiction shall extend over the territory occupied by such works and over all reservoirs, streams, canals, ditches, pipes, flumes and drains used in or necessary for the construction, maintenance and operation of the same and over the stream or source from which the water is taken, above the point from which it is taken; and to enact all ordinances and regulations necessary to carry the power herein conferred into effect.

40. To regulate and control the water and watercourses, ditches and flumes, within or leading to the city, and to regulate and control mill privileges within the city.

41. To construct, purchase or lease, and maintain canals, ditches, flumes, wells, artesian wells and reservoirs; and to purchase or lease or in any lawful manner acquire springs, streams, or sources of water supply or rights to the use of water for the purpose of providing water for irrigation, domestic or other public purposes; and to prevent all waste of water, and, if necessary, to secure said sources of water

supply to purchase or lease the land from or upon which said water has been appropriated or applied. Also to purchase, acquire or lease stock in ditch, canal, reservoir or water companies for the purpose of providing water for such city and the inhabitants thereof.

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42. To fix the rate to be paid for the use of water furnished by the city.

43. To purchase, construct, lease, rent, manage and maintain any system or part of any system of water works, hydrants and supplies of water, fire signals, or fire apparatus, and to pass all ordinances, penal or otherwise, that shall be necessary for the full protection, maintenance, management and control of the property so leased, purchased or constructed.

44. To regulate the construction, repair and use of vaults, cisterns, areas, hydrants, pumps, sewers, gutters and plumbing and to provide for a board of examiners to examine into the fitness and qualifications of persons following the plumbing trade; and to prescribe what qualifications shall be had by persons following said trade.

45. To establish markets and market-houses, and to provide for the regulation and use thereof.

46. To provide for the place and manner of sale of meats, poultry, fish, butter, cheese, lard, vegetables and all other provisions and regulate the selling of the same.

47. To provide for and regulate the inspection of meats, fruits, poultry, fish, milk, cream, butter, cheese, lard, vegetables, flour, meal and all other provisions.

48. To provide for the inspection, measurement, or gradation of any merchandise, manufacture, or commodity, and to appoint the necessary officers therefor.

49. To provide for the inspection and sealing of weights and measures.

50. To enforce the keeping and use of proper weights and measures by venders.

51. To provide for and regulate the inspection of malt, vinous, fermented, and spirituous liquors.

52. To declare what shall be a nuisance, and to abate the same, and to impose fines upon parties who may create, continue, or suffer nuisances to exist.

53. To provide for and regulate the location, management and construction of packing houses, tanneries, canneries, renderies, bone factories, slaughter houses, butcher shops, hide or junk warehouses, soap factories, foundries, breweries, distilleries, livery stables and blacksmith shops in, or within one mile of the limits of, the corporation.

54. To prohibit any offensive or unwholesome business or establishment in or within one miles of the limits of the corporation; to compel the owner of any pig-sty, privy, barn, corral, sewer or other unwholesome or nauseous house or

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place, to cleanse, abate or remove the same, and to regulate the location thereof.

55. To make regulations to secure the general health of the city, to prevent the introduction of contagious, infectious or malignant diseases into the city, and to make quarantine laws and regulations and enforce the same within the corporate limits, and within twelve miles thereof. To create a board of health and prescribe the powers and duties of the same.

56. To purchase, hold and pay for lands within or without the city limits for the burial of the dead and all necessary grounds for hospitals, and to erect, maintain and manage suitable buildings thereon, and to have and exercise police jurisdiction over the same and over any cemetery used by the inhabitants of said city, and to survey, plat, map, fence, ornament, and otherwise improve all public burial and cemetery grounds, and to convey cemetery lots owned by the city, and pass rules and ordinances for the protection and government of said grounds; to vacate public burial and cemetery grounds, to prohibit subsequent burials therein and to provide for the removal therefrom of all bodies which may have been interred therein.

57. To regulate the burial of the dead and the registration of births and deaths; to direct the return and keeping of bills of mortality, and to impose penalties on physicians, sextons and others for default therein.

58. To provide for the burial of the indigent dead and to pay the expenses thereof.

59. To authorize the taking and to provide for safe keeping and education, for such periods of time as may be expedient, of all children who are destitute of proper parental care.

60. To establish, maintain and regulate free public libraries and reading rooms as is or may be provided by law, and to perpetuate free libraries and reading rooms as may have been heretofore established in said city.

61. To define fire limits, and prescribe limits within which no building shall be constructed, except it be of brick, stone or other incombustible material, without permission, and to cause the destruction or removal of any building constructed or repaired in violation of any ordinance, and to cause all buildings or enclosures which may be in a dangerous state to be put in a safe condition or removed.

62. To prescribe the manner of constructing stone, brick and other buildings, and the construction of fire escapes; and to cause all buildings used for public purposes to be provided with sufficient and ample means of exit and entrance, and to be supplied with necessary and appropriate appliances for the extinguishment of fires, to prevent the overcrowding thereof and to regulate the placing and use of seats, chairs, benches, scenery, curtains, blinds, screens, or other appliances therein.

63. To prevent the dangerous construction and condition of chimneys, fireplaces, hearths, stoves, stovepipes, heaters, ovens, furnaces, boilers, electric wiring, and appurtenances used in and about buildings and manufactories, and cause the same to be removed or placed in safe condition.

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64. To regulate and prevent the carrying on of manufacturing likely to cause fires, and to prevent the deposit of ashes in unsafe places.

65. To regulate and prohibit the keeping of any lumber yard and the placing or piling or selling of any lumber, timber, wood or other combustible material within the fire limits of the city.

66. To regulate or prevent the storage of gunpowder, tar, pitch, resin, coal oil, benzine, turpentine, nitroglycerine, petroleum, or any of the products thereof, and other combustibles or explosive material, and the use of lights in stables, and other places, and the building of bonfires.

67. Except as otherwise provided by law, to provide for the organization and support of a fire department; to procure fire engines, hooks, ladders, buckets and other appurtenances; and to organize fire-engine and hook and ladder companies and to prescribe rules, duties and government therein with such penalty as the board may deem proper, and to make all necessary appropriations therefor; and to establish regulations for the prevention and extinguishment of fires.

68. To provide for the inspection and to regulate the use of steam boilers; to provide for the examination, regulation and licensing of stationery engineers and others having charge or control of stationery engines, boilers or steam-generating apparatus, or elevators within the corporate limits of the city.

69. To prohibit cruelty to animals.

70. To regulate or prohibit the running at large within the limits of the city of horses, mules, asses, cattle, swine, sheep, goats, geese, and all kinds of poultry; to establish a pound and appoint a pound keeper, and prescribe his duties, and to distrain and impound animals running at large, and to provide for the sale of the same. The proceeds arising from the sale of such animals, after the payment of all costs, shall go to the city treasury to be disposed of according to law.

71. To provide for the punishment of persons disturbing the peace and good order of the city or any lawful assembly, by clamor or noise or by intoxication, fighting or using obscene or profane language, or otherwise violating the public peace by indecent or disorderly conduct, or by lewd or lascivious behavior and to punish the interference with any city officer in the discharge of his duty, also to provide for the punishment of trespass, and such other petty offenses as the board may deem proper.

72. To provide for the punishment of tramps, common

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street beggars, common prostitutes, habitual disturbers of the peace, pickpockets, gamblers, thieves, or persons who practice any game, trick or device with intent to swindle.

73. To arrest, fine, or set to work on the streets or elsewhere all vagrants, mendicants and persons found in said city without visible means of support or some legitimate business.

74. To prevent intoxication, fighting, quarreling, dog fights, cock fights, prize fights, bull fights and all disorderly conduct, and to provide against and to prevent the offenses of assault and battery and petit larceny; to restrain riots, routs, noises, disturbances, or disorderly assemblies in any street, house or place in the city; to regulate and prevent the discharge of firearms, rockets, powder, fireworks, or any other dangerous or combustible material in the streets, lots, grounds, alleys, or about or in the vicinity of public buildings. To provide against or prevent the offense of obtaining money or property under false pretenses, or the offense of embezzling money or property, in all cases where the money or property embezzled or obtained by false pretense does not exceed in value the sum of fifty dollars.

75. To regulate and prohibit the carrying of concealed weapons.

76. To establish, erect and maintain city jails, houses of correction and detention and workhouses for the confinement of persons convicted of violating any city ordinance, and to make rules and regulations for the government of the same, and to appoint necessary jailers and keepers; and to use the county jail for the confinement or punishment of offenders subject to such conditions as are imposed by law and with the consent of the board of county commissioners.

77. To punish and prohibit the selling or giving away of any intoxicating, malt, vinous, mixed or fermented liquors to any minor, insane or idiotic person, habitual drunkard, or person in the habit of becoming intoxicated; and also to punish for keeping, maintaining or becoming an inmate of, visiting or in any way contributing to the support of any place, house or room where persons assemble for the purpose of smoking opium, or inhaling the fumes of opium, or where opium is sold for such purposes.

78. To provide for and regulate the numbering of houses and lots.

79. To purchase, receive, hold, sell, lease, convey and dispose of property, real and personal, for the benefit of the city, both within and without the city boundaries; to improve and protect such property and to do all other things in relation thereto which natural persons might do; *provided*, that the board shall not have the power to mortgage, hypothecate, or pledge any property of the city for any purpose.

80. To erect, lease, acquire, and maintain all needful buildings for the use of the city.

81. The board of supervisors shall have the power to condemn property for public uses.

SEC. 31. When power is conferred upon the board to do and perform any act or thing, and the manner of exercising the same is not specifically pointed out, the board may provide by ordinance the manner and details necessary for the full exercise of such power. Board may provide details by ordinances

SEC. 32. *County Commissioners to Apportion Road Fund.* The board of county commissioners of Elko County shall, and it is hereby made their duty, from time to time, upon the request of the board of supervisors, to apportion to the city such proportion of the Elko road district fund of the county of Elko as the value of the whole property within the corporate limits of the city, as shown by the assessment roll, shall bear to the whole property within the Elko road district, inclusive of the property within the city, and all moneys so apportioned shall be expended upon the streets, alleys, and public highways of the city, under the direction and control of the city board of supervisors. Elko County commissioners to apportion road fund

SEC. 33. *Corporate Name of City, Plaintiff.* All actions brought to recover any fine or to enforce any penalty under any ordinance of the city shall be brought in the corporate name of the city as plaintiff; and no prosecution, recovery or acquittal for the violation of any such ordinance shall constitute a defense to any other prosecution of the same person for any other violation of any such ordinance, although the different causes of action existed at the same time, and if united would not have exceeded the jurisdiction of a justice of the peace. Actions shall be brought in corporate name of city

SEC. 34. *All Fines to Go to the City Treasury.* All fines and forfeitures for the violation of ordinances and all money collected for licenses or otherwise, shall be paid into the treasury of the city at such times and in such manner as may be prescribed by ordinance. All fines to city treasury

SEC. 35. *Punishment of Offenders.* In all actions for the violation of any ordinance, it shall be sufficient if the complaint refer to the title and section of the ordinance under which such action is brought. Any person upon whom any fine or penalty shall be imposed may, upon the order of the court, before whom the conviction is had, be committed to the county jail or the city prison, or to such other place as may be provided by the city for the incarceration of offenders, until such fine, penalty and costs shall be fully paid. Violation of ordinances punished

SEC. 36. *Chain Gang.* The board of supervisors shall have power to provide by ordinance that every person committed shall be required to work for the city at such labor as his strength will permit, not exceeding eight hours each working day; and for such work the person so employed shall be allowed two dollars for each day's work on account of such fine and costs. The board may provide for the formation of a chain gang for persons convicted of offenses in violation Chain gang

of the ordinances of the city, and for their proper employment for the benefit of the city, and to safeguard and prevent their escape while being so employed.

SEC. 37. Any constable or sheriff may serve any process or make any arrest authorized to be made by any officer of the city.

Constable or
sheriff may
serve process

SEC. 38. *Property Delivered to Successors.* Every officer of the city shall, within five days after notification and request, deliver, to his successor in office all properties, books, and effects of every description in his possession and belonging to the city, and upon his failure, refusal or neglect to do so shall be liable for all damages caused thereby, and to such penalty as may be by ordinance prescribed.

Officer to
deliver
property to
successor

SEC. 39. *Additional Duties May Be Imposed.* The duties, powers and privileges of all officers in any way connected with the city government, not herein defined, shall be defined by the board; and the defining by this act of the duties of city officers, shall not preclude the board from defining by ordinance further and additional duties to be performed by any such officer.

City officers
to perform
additional
duties

SEC. 40: *Office of the City Clerk.* The city clerk shall keep his office at the place of meeting of the board of supervisors or some other place convenient thereto, as the board may direct. He shall keep the corporate seal and all papers and records of the city and keep a record of the proceedings of, and be the clerk of the board, whose meetings it shall be his duty to attend. Copies of all papers filed in his office, and transcripts from all records of the city board certified by him, under the corporate seal, shall be evidence in all courts to the same effect as if the original were produced.

City clerk to
maintain
office

SEC. 41. *Duties of the Clerk.* He shall countersign all contracts made in behalf of the city. The city clerk shall draw and countersign all orders in pursuance of any order or resolution of the board and keep a full and accurate account thereof in books provided for that purpose; shall make to the board from time to time upon the order of the board, reports of the financial condition of the city; shall make and keep a list of outstanding bonds, to whom issued, for what purpose, when and where payable, and the rate of interest they respectively bear, and recommend such action of the board as shall secure the payment of the principal and interest of such bonds; shall report annually on or before the first day of June, to the board, an estimate of the expenses of the city and the revenue necessary to be raised for the current year; shall keep regular books of account in which he shall enter all indebtedness of the city, and which shall, at all times, show the financial condition of the city, the amount of bonds, orders, certificates or other evidences of indebtedness issued by the board, the amount of all bonds, orders, certificates or other evidences of indebtedness which have been redeemed, and the amount of each outstanding;

Duties of
city clerk

shall keep accounts with all receiving and disbursing officers of the city, showing the amounts they have received from the different sources of revenue, and the amounts which have been disbursed under the direction of the board; shall examine all reports, books, papers, vouchers and accounts of the city treasurer; shall audit all claims and demands against the city before they are allowed by the board; and shall keep a record of all claims presented and the action of the board thereon; shall keep a book properly indexed in which he shall enter all contracts, which books shall be open to the inspection of all persons interested. He shall record in a journal all ordinances, by-laws, rules or resolutions passed or adopted by the board, which journal, after being read and approved at each regular meeting, shall be signed by the mayor and attested under the hand of the clerk. He shall countersign all licenses and permits issued to any person or officer and shall charge such person or officer with the same. He shall countersign and certify all claims for the payment of money, executed by the mayor. All claims against the city shall be filed with the clerk, who shall report in writing upon the same and on all matters pertaining to his office, at each regular meeting of the board, or oftener if required. The city clerk shall be the official license collector of the city and shall collect for all city licenses and all other moneys making up the city revenues, except general taxes. All moneys belonging to the city (except general taxes), and collected by any person whomsoever, shall be at once paid over to the city clerk, and the city clerk shall promptly pay the same over, together with all moneys in his hands, to the city treasurer. All special taxes, whenever and wherever practicable, shall be collected by the city clerk. The time and manner of collection of special taxes, and collection of licenses shall be fully provided for and fixed by ordinance. Whenever any person required by any city ordinance to take out a license, shall fail, neglect or refuse to do so, or shall carry on any licensed business, trade or calling without having procured the requisite license therefor, the city clerk shall forthwith report such delinquent to the board, who may cause an attachment suit in the name of the city to be brought against such delinquent, whereupon an attachment shall issue without bond on behalf of the city, and the clerk may make the necessary affidavit for attachment. No fees shall be allowed any officer or person unless the same be made as costs from the defendant. The procedure and trial, except as above provided, shall be the same as in other civil cases of similar nature; *provided*, that any property in any place or building, where by ordinance the business in such place or building is required to pay a license, shall be liable for and may be taken on attachment or execution without regard to the actual ownership thereof, and any form of property, the business conducted with which is required by ordinance to

Duties of
city clerk

pay a license, may be so taken on attachment or execution without regard to the actual ownership thereof. There shall be added to every license not obtained within five days after the same becomes due and payable, the sum of one dollar, which shall become and be a part of the license and shall, with such license, be collected by the city clerk, and he shall perform such other duties as the board may provide by ordinances.

Financial
statement

SEC. 42. *Statement of Finances.* The city clerk shall prepare on or before the first Monday in March of each year, and thereafter keep on file in his office, subject to public inspection, a detailed statement of the financial condition of the city and of all receipts and expenditures for the previous year, ending December 31, showing:

What
statement
must show

1. The total receipts of the city, stating particularly the source of each portion of revenue.

2. The amount of cash on hand at the date of the last report.

3. The amount of sinking fund and how invested.

4. The number, date and amount of every bond issued, or redeemed, and the amount received or paid therefor.

5. The indebtedness of the city, funded and floating, stating the amount of each class and the rate of interest borne by such indebtedness or any part thereof.

6. Each warrant issued, to whom and on what account.

7. The amount of cash in the city treasury and in its several funds. He shall publish on or before the first Monday in March of each year, in some newspaper having a general circulation in the city, a notice that such a detailed statement has been prepared, is on file in his office, and open to public inspection at all times.

Duties of city
treasurer

SEC. 43. *City Treasurer.* The city treasurer shall receive all money belonging to the city, including all taxes, licenses, and fines, and keep an accurate and detailed account thereof, in such manner as provided in this act, or as the board from time to time may by ordinance direct, and he shall collect special taxes and assessments as provided by law and ordinance. He shall make a settlement with the city clerk as the board may direct, at the end of every month, and turn over all warrants, interest, coupons, bonds, or other evidence of indebtedness of the city, which may have been redeemed by him during the month, taking the receipt of the city clerk therefor, and all such warrants, orders, or other evidence of indebtedness shall be canceled by him, and have written or stamped thereon the date of their payment or redemption.

Duties of city
treasurer

SEC. 44. *Further Duties of City Treasurer.* He shall pay no money out save upon lawful warrant, except on account of bonds and interest coupons, which when due may be paid upon presentation, or in case the same are payable at some other place, then the money for their redemption shall be

sent to the place where they are payable in time to meet such payment when due.

The treasurer of Elko County shall, in addition to the duties now imposed upon him by law, act as treasurer of the city and shall be *ex officio* city treasurer and tax receiver. He shall receive and safely keep all moneys that shall come to the city by taxation or otherwise, and shall pay the same out, only on claims duly allowed, except the principal and interest of any municipal bonded indebtedness.

All taxes, fines, forfeitures, or other moneys collected or recovered by any officer or person under or by virtue of the provisions of this charter or of any ordinance of the city, or by or under any law, and all moneys received or collected shall without delay be paid by the city clerk, who shall keep an accurate account thereof and give itemized receipts therefor in duplicate, one of which shall be given to the city auditor immediately for the more perfect keeping of his accounts, and for the information of the board, and the other of said duplicate receipts shall be given to the officer or person so paying in such money. All such money shall be placed by the treasurer in a fund to be known as the Elko general fund; and shall be so kept intact and not commingled with other moneys or in any manner disposed of except as paid out upon proper warrants and claims against the city, including the principal and interest of any municipal bonded indebtedness.

On paying any warrant, the treasurer shall write or stamp across the face thereof, in red ink, the words "Redeemed," with the date of such redemption and sign his name thereto officially, and the warrant so canceled shall be sufficient voucher for the treasurer as to the amount so paid, in his official settlements with the city, which shall take place annually on the fourth Monday in December of each year, or oftener as may be required by the board. The mayor, city clerk, or any member of the board may at any time examine the books and vouchers of the treasurer, concerning the state of the finances and moneys in the hands of the treasurer belonging to the city.

The city treasurer shall, before entering upon the discharge of his duties, execute to the city a good and sufficient surety bond, to be approved and paid for by the board; said bond to be in such sum as may be required by the board. The city treasurer shall perform such other and further duties as may be required, or be prescribed by ordinance.

SEC. 45. *Warrants.* All warrants shall be paid out of their respective funds in the order in which they shall be issued.

SEC. 46. *Receipts for Payments.* The treasurer shall give to every person paying money into the city treasury a receipt therefor, specifying the date of payment and upon

what account paid; and he shall also file the duplicate of such receipt with the city clerk, as the board may direct, at the date of his monthly report.

City money
kept
separate

SEC. 47. *City Moneys Kept Intact.* The treasurer shall keep all money belonging to the city separate and distinct from his own money.

Treasurer's
report

SEC. 48. *Report of Treasurer.* The treasurer shall report to the board at such times as may be prescribed by ordinance, giving a full and detailed account of all receipts and expenditures since his last report, and the state of the treasury. He shall also keep a register of all warrants redeemed and paid during the year, and describing such warrants, their date, amount, number, the fund from which paid, and the person to whom paid, specifying also the time of payment. And all such warrants shall be examined by the board at the time of receiving such report.

Special funds

SEC. 49. *Special Funds.* All moneys received from any special assessment shall be held by the treasurer as a special fund, to be applied to payment for the improvement for which the assessment was made, and said money shall be used for no other purpose whatever.

City taxes
limited to 3
per cent

SEC. 50. *City Taxes.* The board shall annually, at the time prescribed by law for levying taxes for state and county purposes, levy a tax not exceeding three (3) per cent upon the assessed value of all real estate, and personal property within the city made taxable by law; and the tax so levied shall be collected at the same time and in the same manner and by the same officers, exercising the same functions, as prescribed and provided in the revenue laws of the state for collection of state and county taxes; and the revenue laws of the state shall, in every respect not inconsistent with the provisions of this act, be deemed applicable and so held to the levying, assessing, and collecting of the city taxes; *provided*, that in the matter of the equalization of assessments, the rights of the city and the inhabitants thereof shall be protected in the same manner and to the same extent by the action of the county board of equalization, as are the state and county. And whenever or wherever practicable and expedient, all forms and blanks used in levying, assessing, and collecting the state and county revenues shall, with such alterations or additions as may be necessary, be used in levying, assessing and collecting the revenues of the city. The board shall enact all such ordinances as it may deem necessary and not inconsistent with this act and the laws of the state, for the prompt, convenient, and economical collecting of the city revenue.

Revenue
ordinances

SEC. 51. *Revenue Ordinances.* The board shall have full power to pass and enact all ordinances necessary or required to carry into effect the revenue laws in the city and to enlarge, fix, and determine the powers and duties of all officers in relation thereto.

SEC. 52. *Expenses, How Proportionately Paid.* Such part of the expenses of improving any streets, lanes, avenues, or alleys by grading, paving, graveling, curbing, parking, constructing sidewalks or crosswalks, or otherwise improving the same, as the board shall determine, may be paid from the general fund or district street fund, from the proper street district, or the said cost or a portion thereof, as the board shall determine, may be defrayed by special assessments upon lots and premises abutting upon that part of the street or alley so improved or proposed so to be, or the lands abutting upon such improvement and such other lands as in the opinion of the board may be benefited by the improvement. When the board shall determine to make any public improvement, such as laying pavements, constructing sewers, drains, sidewalks and crosswalks, curbing, macadamizing, oiling, graveling or grading any streets, avenues, or alleys or in any way improving the same, and shall determine to defray the whole or any part of the costs or expenses thereof by special assessment, they shall so declare by ordinance, stating the improvements and what part or proportion of the expenses thereof shall be paid by special assessments and what amount shall be paid out of the general fund, district street fund or any other fund.

Improvements, how proportionately paid for

SEC. 53. *When Portion Is Paid from City Funds.* When expenses for such improvements or repairs shall be assessed, and there shall be lands belonging to the city, or public ground not taxable, abutting on such improvements, such part of the expenses of such improvements as, in the opinion of the board would be justly apportionable to such public grounds and city property, and to any interior squares or spaces formed by the intersection of streets where the abutting property is taxable, shall be paid from the general fund or from the proper street or district street fund, or partly from each, as the board shall determine to be just, and the balance of such expense shall be assessed upon the taxable lots and premises abutting upon such improvement or improved streets in proportion to their number of feet frontage; or, if the special assessment shall include other lands not abutting upon the improvement, then upon all the land included in such special assessment in proportion to the estimated benefits resulting thereto from the improvement. When such assessment is to be made upon the lots in proportion to their frontage upon the improvement, if, from the shape or size of any lot, the assessment thereon in proportion to its frontage would be unjust and disproportionate to the assessment upon other lots, the board may assess such lots or such number of feet frontage as in their opinion would be just.

When partly paid from city funds

SEC. 54. *Municipal Buildings.* The cost and expense of a city hall and other buildings for the use of the city, and its officers, engine houses, and structures of the fire department, and other public purposes, including the necessary

Buildings for city

land for such purposes, shall be paid for from the proper general fund of the city, except that, in case of lands apportioned for streets and rights of way, the cost thereof may be paid in whole or in part from the proceeds of a special assessment levied therefor in the manner herein prescribed. Whenever, in the opinion of the board, the benefits thereof are special, rather than general or public, the cost and expense of any local improvements may be defrayed in whole or in part by special assessments upon the lands abutting upon or adjacent to or otherwise benefited by such improvement. Such special assessment may be made in the manner herein-after specified.

Ordinance
for special
assessments

SEC. 55. *Special Assessments, Ordinance For.* When the board shall determine to make any public improvements or repairs, in the laying of pavements or constructing sidewalks, or in any way improving the streets in the city, and shall determine to defray the whole or any part of the cost and expenses thereof by special assessment, they shall so declare by ordinance, stating the improvement and what part or portion of the expense thereof shall be paid by special assessment, and what part, if any, has been or is proposed to be appropriated from the general fund of the city, or from the street fund or district street fund, and whether the assessment is to be made according to benefits or frontage, and, in case the assessment is to be made according to benefits, they shall by apt description designate the district including the lands to be so assessed; or in case there is no district so set apart they shall describe definitely the location of the improvement, and state that the assessment is to be made upon all the lands benefited thereby proportionately to the benefits received; but in case the assessment is to be upon the property upon a frontage basis, it shall be sufficient for said ordinance so to state and to define the location of the improvements to be made. It shall not be necessary in any case to describe minutely in the ordinance each particular lot to be assessed, but simply so to designate the property, district or the location that the various parts to be assessed can be ascertained and described by the city assessor.

Estimates
before
ordering
work

SEC. 56. *Estimates First To Be Had.* Before ordering any public improvement or repairs as provided in the last preceding section, any part of the expense of which is to be defrayed by special assessment, the board shall cause estimates of the expense thereof to be made, and also plats and diagrams, when practicable, of the work and of the locality to be improved, and shall file such plats and diagrams with the city clerk for public examination; and they shall give notice thereof and of the proposed improvement, or work, of the location of the improvement, and of the district to be assessed, by publication for at least two weeks in some newspaper published in said city, by posting notices of the same, in at least three public places in said city, one of which shall

be in or near the postoffice of the city, and in addition by posting notices in three public places near the site of said proposed work. Said notices shall state the time when the board will meet and consider any suggestions and objections that may be made by parties in interest to the proposed improvements. Unless the owners of more than one-half of the frontage to be assessed shall file written objections thereto, such improvement or work shall be ordered, and said notice shall so specify.

SEC. 57. *Special Assessments.* In all cases where the board of health or other officials of the city, or the board of supervisors are authorized to do, or cause to be done, certain things, the whole or any part of the cost of which may be properly defrayed by a special assessment, and where special provisions for making the levy are not herein made, the board may cause sworn statements of the cost and location thereof to be made as provided in section 60 hereof, and may refer the same to the assessor and have the same assessed against such property. Special assessments

SEC. 58. *Any Cost Over Ten Per Cent of the Value of Property Paid by the City.* The cost and expense of any improvement which may be defrayed by special assessments shall include the cost of surveys, plans, assessments, and cost of construction. In no case shall the amount of any special assessment upon any lot or premises for any one improvement exceed ten per cent of the value of such lot or premises as shown upon the latest tax list or assessment roll for state and county taxation. Any cost exceeding ten per cent which would otherwise be chargeable upon said lot or premises, shall be paid from the general funds of the city. The board shall provide that the fees and compensation properly charged in the work of making any special assessment shall be included as a part of such assessment. City pays all costs over 10 per cent of value of premises

SEC. 59. *Must Be Advertised.* No contract for doing the work or making the improvement contemplated herein shall be made or awarded, nor shall the board incur any expense or liability in relation thereto, except for plats, diagrams, estimates and notices, until after the notice and hearing provided for herein shall have been given and had. But nothing herein contained shall be construed as preventing the board from advertising for proposals for doing the work whenever they see fit; *provided*, the contract shall not be made or awarded before the time herein stated. Board to advertise for bids

SEC. 60. *Pro Rata Assessments.* When a special assessment is to be made pro rata upon the lots or premises in any special assessment district, according to frontage or benefits, the board shall, by ordinance, direct such special assessment to be made by the assessor, and shall state therein the amount to be assessed, and whether according to frontage or benefits, and describe or designate the lots and premises or the locality constituting the district to be assessed in fixing Assessment pro rata

the amount or sum of money that may be required to pay the costs of any improvement, the board need not necessarily be governed by the estimates of the costs of such improvement provided for herein, but the board may fix such other sum, within the limits prescribed, as they may deem necessary to cover the cost of such improvement.

Assessor to
prepare
assessment
roll

Proviso

Proviso

SEC. 61. *Assessment Roll.* Upon the passage of such ordinance the assessor shall prepare an assessment roll, entering and describing therein all lots, premises and portions of land to be assessed, with the names of the persons, if known, chargeable with the assessments thereon, and shall levy thereon the amount to be assessed in the manner directed by the board and the provisions of this act applicable to the assessment; *provided*, in all cases where the ownership thereof is unknown to the assessor, he shall, in lieu of the name of the owner, insert the word "unknown"; *provided, also*, if by mistake or otherwise any person shall be improperly designated as the owner of any lot or premises, or if the same shall be assessed without the name of the owner, or in the name of a person other than the owner, such assessment shall not for that reason be vitiated, but shall, in all respects, be as valid upon and against such lot, parcel of land or premises as though assessed in the name of the owner thereof, and when the assessment roll shall have been approved, such assessment shall become a lien on such lot, parcel of land or premises, and be collected as provided by law. Such assessment so levied by the city assessor shall be entered in the general assessment roll next thereafter in a special column for special assessments, and the county auditor, acting ex officio as city auditor, shall extend the same on said roll in the same manner as state and county taxes or assessments are extended, and thereupon the amount so levied in said assessment roll shall be collected and enforced with the other taxes in the assessment roll by the county tax receiver, acting ex officio as city tax receiver, and in the same manner, and shall continue to be a lien upon the premises assessed until paid, and when collected shall be credited to the proper funds; *provided*, that nothing in this paragraph set forth shall be construed as preventing the city of Elko from collecting any special assessment by suit in the name of the city of Elko; and the said special assessment roll and the certified resolution confirming it, as recorded, shall be *prima facie* evidence of the regularity of the proceedings in making the assessment and of the right of the city to recover judgment therefor.

If in any action for the collection of any assessment it shall appear by reason of any irregularity or informality the assessment has not been properly made against the defendant, or the lot or the premises sought to be charged, the court may, nevertheless, on satisfactory proof that the expense has been incurred by the city and is a proper charge

against the defendant, or the lot or the premises in question, render judgment for the amount properly chargeable against such defendant or upon such lot or premises.

SEC. 62. *Frontage Assessment.* If the assessment be made upon the basis of frontage, the assessor shall assess each lot or parcel of land with such relative portion of the whole amount to be levied as the length of front of such premises abutting upon the improvement bears to the whole frontage of all the lots to be assessed; unless on account of the shape or size of any lot or lots an assessment for a different number of feet would be more equitable; and the frontage of all lots to be assessed shall be deemed to be the aggregate number of feet as determined upon for assessment by the assessor. Frontage assessment

When According to Benefit. If the assessment is directed to be according to benefits, the assessor shall assess upon each lot such relative portion of the whole sum to be levied as shall be proportionate to the estimated benefit resulting to such lot from the improvement.

SEC. 63. *Assessor's Certificate.* When the assessor shall have completed the assessment he shall report the same to the board. Such report shall be signed by him and made in the form of a certificate endorsed on the assessment roll as follows: Assessor's certificate

(Form)
STATE OF NEVADA, }
CITY OF ELKO. } ss.

To the Board of Supervisors of the City of Elko: I hereby certify and report that the foregoing is the assessment roll, and assessment made by me pursuant to an ordinance of the board of said city, adopted (give date), for the purpose of paying that part of the cost which the board decided should be paid and borne by special assessment for pavingstreet fromstreet tostreet in said city (as the case may be), (or constructing a sewer onstreet), (as the case may be). That in making such assessment, I have, as near as may be, and according to my best judgment conformed in all things to the directions contained in the ordinance of the board hereinbefore referred to., Assessor. Form of certificate

Dated....., Nevada,, A. D. 19.....

SEC. 64. *Certain Special Assessments.* When any expense shall be incurred by the city upon or in respect to any single lot, parcel of land or premises which, by the provisions of this act, the board is authorized to charge and collect as a special assessment against the same, and not being in that class of special assessments required to be made pro rata upon several lots or parcels of land, an account of the labor or services for which such expense was incurred, verified by the officer or person performing the services, or causing the same to be done, with a description of the lot or premises Certain special assessments

upon or in respect to which the expense was incurred, and the name of the owner or person, if known, chargeable therewith, shall be reported to the board. And the provisions of the previous sections hereof, with reference to special assessments generally and the proceedings necessary to be had before making the improvement, shall not apply to the assessments to cover the expense incurred, in respect to the class of improvements contemplated in this section.

Board to
determine
amounts

SEC. 65. Board to Determine. The board shall determine what amount or part of every expense shall be charged as a special assessment and the premises upon which the same shall be levied; and as often as the board shall deem it expedient they shall require all of the several amounts so reported and determined, and the several lots or premises chargeable therewith respectively to be reported by the city clerk to the assessor for assessment.

Special
assessment
to be
advertised

SEC. 66. Notice of Asscsmnt To Be Published. Upon receiving the report mentioned in the preceding section the assessor shall make a special assessment roll and levy a special assessment therein upon each lot or parcel of land so reported to him, the whole amount or amounts of all charges so directed as aforesaid to be levied upon each of such lots or premises, respectively, and when completed he shall report the assessment roll to the board. When any special assessment shall be reported by the assessor to the board, as in this section directed, the same shall be filed in the office of the city clerk and numbered. Before adopting the assessment the board shall cause notice to be published for at least two weeks in some newspaper published in the city, after the filing of the same with the city clerk, and appointing a time when the board and assessor will meet to review the assessments.

Two weeks
in newspaper

Objections,
how made

Objection to Assessment, How Made. Any person object- ing to the assessment may file his objection thereto with the city clerk.

The notice provided for in this section may be addressed to the persons whose names appear upon the assessment roll and to all others interested therein, and may be in the following form:

NOTICE OF SPECIAL ASSESSMENT

Form of
notice

(Form of notice.) To.....(insert the names of the persons against whom the assessment appears) and to all persons interested, take notice:

That the roll of special assessment heretofore made by the assessor for the purpose of defraying that part of the costs which the board decided should be paid and borne by special assessment for the (e. g., paving.....street tostreet in the city of Elko) or (constructing a sewer on.....street between.....street andstreet) or (as the case may be) is now on file

at my office for public inspection. Notice is hereby given that the board and the assessor of the city of Elko will meet in the.....room in this city on.....(insert the date fixed upon) to review said assessment, at which time and place opportunity will be given all persons interested to be heard.

Date....., City Clerk.

SEC. 67. *Assessment Corrected, How.* At the time appointed for the purpose aforesaid the board and assessor shall meet and then or at some adjourned meeting review the assessments, and shall hear any objection to said assessments which may be made by any person deeming himself aggrieved thereby, and shall decide upon the same; and the board may correct the same as to any assessment or description of the premises appearing therein, and may confirm it as reported or as corrected, or they may refer the assessment back to the assessor for revision, or annul it and direct a new assessment, in which case the assessment shall be made anew. When a special assessment shall be confirmed the city clerk shall make an endorsement upon the roll showing the date of confirmation, which shall be in the following words:

Special assessment roll for the.....(describing fully what the assessment is for).....approved by the board the.....day of.....(month), 19....

Dated....., City Clerk.

SEC. 68. *Assessment Roll.* When any special assessment roll is approved by the board it shall be final and conclusive. Said roll, when so endorsed by the city clerk shall be *prima facie* evidence in all courts and tribunals of the regularity of all proceedings preliminary to the making thereof and of the validity of said assessment and assessment roll.

SEC. 69. *Special Assessments a Lien on Property.* All special assessments shall from the date of the approval thereof constitute a lien upon the respective lots or parcels of land assessed. Upon the approval of any assessment, the amount thereof may be divided into not more than four installments to be collected semiannually, at such time as the board may determine.

SEC. 70. *Special Assessments Due on Approval.* All special assessments, except such installments thereof as the board shall make payable at a future time, as provided in the preceding section, shall be due and payable on approval.

SEC. 71. *On Dividing Property, How Apportioned.* Should any lots of land be divided after a special assessment thereon shall have been approved and divided into installments and before the collection of the installments, the board may require the assessor to apportion the uncollected amounts upon the several parts of land so divided. The report of such apportionment, when approved, shall be conclusive of all the parties, and all assessments thereafter

made upon such lots or lands shall be according to such subdivision.

SEC. 72. *When Insufficient, Deficit Paid by City.* Should any special assessment prove insufficient to pay for the improvement or work for which it is levied and the expense incident thereto, the amount of such deficiency shall be paid from the general fund in the treasury of the city; and in case a greater amount shall have been collected than was necessary, the excess shall be refunded ratably to those by whom it was paid.

SEC. 73. *New Assessment, When.* Whenever any special assessment shall, in the opinion of the board, be invalid by reason of any irregularity or informality in the proceedings, or if any court of competent jurisdiction shall adjudge such assessments to be illegal, the board shall, whether the improvement has been made or not, or whether any parts of the assessments have been paid or not, have power to cause a new assessment to be made for the same purpose for which the former assessment was made. All the proceedings for such reassessment and for the collecting thereof shall be conducted in the same manner as provided for the special assessment in this act.

SEC. 74. *Previous Payments, How Applied.* Whenever any sum or part thereof levied upon any premises in the assessment so set aside has been paid and not refunded, the payment so made shall be applied upon the reassessment on said premises.

SEC. 75. *Special Assessment, How Enforced.* When any special assessment shall be approved and payable, the board may direct the city clerk to report to the assessor a description of such lots and premises as are contained in said roll, with the amount of the assessment levied upon each and the name of the owner or occupant against whom the assessment was made, and to require the assessor to levy the several sums so assessed as a tax upon the several lots or premises to which they were assessed respectively. Upon receiving such report the assessor shall levy the sums therein mentioned upon the respective lots and premises to which they were assessed as a tax in the general assessment roll next thereafter, to be made in a column for special assessments, and thereupon the amount so levied in said assessment roll shall be collected and enforced with the other taxes in the assessment roll, and in the same manner, and shall continue to be a lien upon the premises assessed until paid, and when collected shall be credited to the proper funds; *provided*, that at any time after the special assessment has become payable the same may be collected by suit in the name of the city in any court of competent jurisdiction. The special assessment roll and the certified ordinance or resolution approving the same shall be *prima facie* evidence of the regularity of the

proceedings in making the assessment and of the right of the city to recover judgment therefor.

SEC. 76. *Irregularities, How Remedied.* If in such action provided for in the preceding section it shall appear by reason of any irregularity or informality the assessment has not been properly made against the defendant, or the lot or premises sought to be charged, the court may, nevertheless, on satisfactory proof that the expense has been incurred by the city which is a proper charge against the defendant, or the lot or premises in question, render judgment for the amount properly chargeable against such defendant or upon such lot or premises. Irregularities, how cured

SEC. 77. *"Taxpayer" Defined.* A "taxpayer," within the meaning of this charter, shall be construed to be and include all persons whose names appear on the official tax roll for the current or the year preceding that in which the elector offers to vote. The judges or officers of election shall have power, and it is hereby made their duty in all cases of special elections on bonds or franchises, to require of each person offering to vote thereat to show by the affidavit of such person that he possesses the qualifications prescribed; *provided*, that such judges or election officials may require further proofs for, as well as against, the right of any person to vote, when such right is challenged by a duly qualified elector. Definition of "taxpayer"

SEC. 78. All publications herein provided for shall be made in a newspaper of general circulation published in the city; *provided, however*, the cost of publication shall not exceed the usual commercial rates. Publications to be made in newspaper

SEC. 79. *Amendments.* This charter may be amended in the following manner: Proposed amendments may be initiated either by the board or by the initiative petition as provided in section 29. Any proposal thereby submitted to the electors for approval shall take the regular course in this charter prescribed, and, if approved by the majority, this charter shall be considered so amended. Method of amending charter

SEC. 80. *In Effect.* This act shall take effect from and after its passage and approval. Immediate effect

CHAP. 85—*An Act to amend section 3 of article IX of an act entitled "An act to incorporate the town of Reno, and to establish a city government therefor," approved March 16, 1903, as amended March 13, 1905, and further amended on March 28, 1907.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three of said act is hereby amended so as to read as follows:

Chief of
police of
Reno to
execute all
process from
municipal
court

Section 3. The chief of police shall execute all process issuing from the municipal court. In his absence or inability to act, his assistant may act in his place. The chief of police shall, before entering upon the discharge of his duties, furnish a bond to said city which shall apply in like manner to any assistant acting in his stead. Said bond shall be in a sum and conditioned as the city council shall require and shall be approved by said council. The duties of said chief of police may be more fully defined and provided for by such ordinances of the city council as it shall from time to time enact. The chief of police shall receive a salary in the sum of not to exceed twenty-four hundred dollars per annum, payable in equal monthly installments.

Chief's
salary

CHAP. 86—*An Act for the relief of certain persons.*

[Approved March 14, 1917]

Relief of
Braun-
Knecht
Heimann Co.

WHEREAS, The Braun-Knecht-Heimann Company, by proper authority, delivered to the Tonopah school of mines goods and supplies of the value of ninety-one dollars and seventy-two cents (\$91.72) and rendered its claim therefor, after the appropriation therefor had reverted; and

Relief of
E. R. Bennett

WHEREAS, E. R. Bennett, by proper authority, paid sundry power and light bills for the Tonopah school of mines to the amount of eleven dollars and eighty-five cents (\$11.85), and rendered his claim therefor, after the appropriation therefor had reverted; and

WHEREAS, Both of the above-mentioned claims were duly rendered and have been duly examined, allowed and approved by the board of examiners of the State of Nevada and are just and legal claims against the State of Nevada; and

WHEREAS, The sum of eight hundred and sixteen dollars and thirty-two cents (\$816.32) of the appropriation for the Tonopah school of mines reverted to the general fund of the state treasury on January 1, 1917; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation,
\$103.57

SECTION 1. The sum of one hundred and three dollars and fifty-seven cents (\$103.57) is hereby appropriated, out of any moneys in the general fund of the state treasury not otherwise appropriated, to be paid out and distributed as follows:

To Braun-Knecht-Heimann Company, ninety-one dollars and seventy-two cents (\$91.72); to E. R. Bennett, eleven dollars and eighty-five cents (\$11.85).

SEC. 2. The state controller is hereby directed to draw his warrants in favor of the persons mentioned herein for the respective amounts above set forth, and the state treasurer is hereby directed to pay the same.

CHAP. 87—*An Act to provide for the consolidation of two one-teacher rural school districts adjoining each other, but situated one in each of two adjoining counties.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The boards of county commissioners of any two adjoining counties in which there are two one-teacher rural school districts adjoining each other, but situated one in each of said adjoining counties, in which the total number of school census children does not exceed forty, may by separate action unite the two schools and form a consolidated school district, on the recommendation of the state superintendent of public instruction, and without formal petition of the residents of said districts; *provided*, that the state superintendent before making such recommendation shall have been thereto requested by the parents representing a majority of the school census children in the two districts, and shall have satisfied himself that the educational needs of the two districts would thereby be more efficiently promoted.

Commissioners of adjoining counties may consolidate certain adjoining one-teacher schools

Proviso

SEC. 2. The name of the district thus formed shall be consolidated school district No. (blanks to be filled by the initial letters of the two counties, as "H. W.").

Name of said district

SEC. 3. Upon receiving notice from the county boards of commissioners that favorable action has been taken on the recommendation made, the state superintendent shall appoint a board of three trustees who shall serve until the first Monday in May following the next regular school election. The persons thus appointed shall take the oath of office as soon as possible thereafter and organize as a board by electing one of their number as president and another as clerk.

Joint board of school trustees

SEC. 4. The consolidated school district thus established and organized shall come under the benefits and privileges of the general school consolidation act, approved February 26, 1915; and its board of school trustees shall have all the powers and duties pertaining to school boards in all other school districts.

Under general school consolidation act

CHAP. 88—*An Act to promote efficiency in the public schools by payment of transportation expenses of teachers to and from teachers' institutes.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. It shall be the duty of school boards whenever a teachers' institute is called for the county or supervision district in which their respective school districts are located

Transporta-
tion of
teachers to
state or
district
institutes
paid from
county
school fund

Proviso

to pay the actual necessary transportation expenses of any teacher or teachers under their charge to and from such institute or institutes out of the county school fund of their respective school districts, unless such teacher or teachers are excused for cause from attending such institute by legally authorized authority; *provided*, that such attending covers the entire session of such institute or institutes; *and, provided further*, that such teacher or teachers shall avail themselves of the reduced rates granted by railroad and stage companies.

Proviso

SEC. 2. School boards are authorized under the same conditions as named in section one of this act to pay a part or all of the transportation expenses of any teacher or teachers attending any state teachers' institute; *provided*, that such attending covers the entire session of such institute.

This act sup-
plementary

SEC. 3. The provisions of this act are to be construed as supplementing any other legal provisions now in force in reference to teachers' institutes and as not in conflict with them.

CHAP. 89—*An Act regulating the manner of procedure for obtaining refund of state, county and other taxes which have been twice paid, and making an appropriation therefor.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Providing
for refund of
doubly paid
county tax
money

SECTION 1. Wherever it shall appear to a board of county commissioners in any county in this state, by competent evidence, that through mistake or inadvertence the county and school district tax for any one tax year has, by reason of the assessment of the same piece or pieces of property to two or more persons, been paid twice or more times, said board of county commissioners, by its unanimous resolution, may direct the county treasurer to refund such excess payment to the assignee of all claims for such overpayment.

Limitation.
6 months

SEC. 2. The claim therefor must be presented to the board of county commissioners within six months after such double payment of taxes has been made.

Same for
state taxes

SEC. 3. Whenever it shall appear to the state board of examiners of the State of Nevada, by competent evidence, that through mistake or inadvertence the state tax for any one tax year has, by reason of the assessment of the same piece or pieces of property to two or more persons, been paid twice or more times, said board of examiners, by its unanimous resolution, may direct the state controller to draw his warrant for refund of such excess payment in favor of the assignee of all claims for such overpayment.

Limitation.
2 years

SEC. 4. The claim therefor must be presented to the state board of examiners within two years after such double payment of taxes has been made.

SEC. 5. If any person shall feel aggrieved by the action taken by any board of county commissioners on any such claim, an action may be prosecuted thereon for and on behalf of such person against said county, as on other rejected county claims. Recourse for dissatisfied claimants—county

SEC. 6. If any person shall feel aggrieved by the action taken by said board of examiners on any such claim, an action may be prosecuted thereon for and on behalf of said person against the State of Nevada under and pursuant to the provisions of sections 3653–3655, Revised Laws of Nevada, 1912, which are hereby made applicable to any such action. Same—state

SEC. 7. For the purpose of carrying out the provisions of this act the sum of one thousand (\$1,000) dollars is hereby appropriated, out of any moneys in the general fund of the state treasury not otherwise appropriated, to be used in making refund for double payment of state taxes only. Appropriation, \$1,000

CHAP. 90. *An Act to fix the salary and compensation of the justice of the peace of Jarbidge township, Elko County, State of Nevada.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the approval of this act, the justice of the peace of Jarbidge township, Elko County, State of Nevada, shall receive in full compensation for all services, except ex officio services and that of registry agent, the sum of seventy-five (\$75) dollars per month. Jarbidge justice of peace—salary

SEC. 2. All acts and parts of acts in conflict with this act are hereby repealed. Repeal

CHAP. 91—*An Act to amend section 3266 of chapter 4 (section 28 of chapter 4, School Code of 1915) of an act entitled "An act concerning public schools, and repealing certain acts relating thereto," approved March 20, 1911, and as amended March 13, 1915.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 3266 (28) of the above-entitled act is hereby amended to read as follows:

Section 3266 (28). The state board of education may grant a life diploma to any resident of the State of Nevada who shall present evidence of having taught successfully and continuously for a period of sixty months, twenty-four of which shall have been in the State of Nevada; *provided*, that in the discretion of the state board of education the exact continuity of teaching experience may be waived. Such life diploma Teaching diplomas, life, how granted

Proviso

may be granted to any resident of Nevada who shall have taught the required number of months and who shall hold a renewable Nevada certificate, or who shall hold a special certificate that has been the applicant's only license to teach for a period of at least sixty months previous to the application for such life diploma; *provided*, that when a teacher is a graduate of a standard normal college and has taught successfully and continuously in public schools outside the State of Nevada for a period of not less than fifty months such teacher may, in the discretion of the state board of education, be granted a life diploma after having successfully taught in private schools in the State of Nevada for a period of not less than thirty months, and who shall have possessed, while teaching in such private schools, a legal Nevada certificate of renewable grade. A life diploma granted under this section shall be of the same grade and of the same name as the certificate held by the applicant at the time of the application for the life diploma, and shall entitle the holder thereof to teach in any school in the State of Nevada of the grade of the certificate upon which the life diploma was granted, or to teach those subjects in any school which the special certificate entitled the holder to teach at the time of the application for the life diploma.

CHAP. 92—*An Act fixing and establishing the fees to be charged in certain cases by the county recorder of Lincoln County, in the State of Nevada, and providing for the disposition of such fees.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Fixing fees
of recorder
of Lincoln
County

SECTION 1. The county recorder of the county of Lincoln, State of Nevada, shall charge and collect fees as follows:

For receiving, filing, and entering documents required to be recorded, twenty-five cents.

For filing and entering any paper not to be recorded, fifty cents.

For making all necessary indexes to each paper filed or recorded, for each name to be indexed, fifty cents.

For recording any instrument, paper, or document, for each folio, thirty cents.

For every certificate under seal, one dollar.

For every entry of discharge of mortgage on the margin of records, fifty cents.

For abstract of title, for each document embraced thereby, one dollar.

For searching records and files, for each document necessarily examined, fifty cents.

For recording any survey or map other than town plat, for each course, fifty cents. Fixing fees of recorder of Lincoln County

For recording town plat, for each lot or separate subdivision exhibited thereby, twenty-five cents; for each folio of lettering or figuring thereon, or in the certificate and description of the same, one dollar.

For recording certificates of marriage, one dollar.

For copy of any record or document in his office, the same fees as for recording.

For taking acknowledgment, including certificate and seal, for first signature, one dollar; for each additional signature, twenty-five cents.

For recording or copying any paper in foreign language, double the fees as when in English.

No map or plat shall be recorded exceeding in size two folios of the usual size records.

For recording, filing, and indexing each mining notice or certificate of location, one dollar.

For filing, recording and indexing each proof of labor or affidavit of assessment work, fifty cents for the first claim and twenty-five cents for each and every claim; *provided*, that not more than one folio for each proof of labor or affidavit of assessment; if more than one folio a fee of thirty cents per folio shall be charged.

SEC. 2. All fees collected under the provisions of the foregoing act shall be paid into the county treasury on or before the first Monday of each month; *provided, however*, that one-half of the fee charged for abstract of title shall be retained by the county recorder. Fees go to county treasury

CHAP. 93—*An Act to authorize the board of county commissioners of White Pine County, State of Nevada, to issue bonds in the amount of fifteen thousand (\$15,000) dollars for the purpose of providing funds to purchase sites, erect buildings, furnish and equip the same for school purposes in Ely school district No. one, of said county, and to liquidate certain indebtedness of said district, and matters properly relating thereto.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The board of county commissioners of White Pine County, State of Nevada, is hereby authorized, empowered and directed to prepare and issue bonds of the said county, said bonds to be issued on or before the first day of February, 1918, for an amount not to exceed the sum of fifteen thousand (\$15,000) dollars, exclusive of interest, for the purpose of providing funds for the purchase of sites, erection of buildings, and the furnishing and equip- Bonds for Ely school district No. 1

ment of the same for school purposes in Ely school district No. one, of said county, and for the further purpose of liquidating any indebtedness now existing and payable by said Ely school district No. one.

County commissioners to issue bonds

SEC. 2. The board of county commissioners of said White Pine County shall cause said bonds to be prepared and made ready for issuance. Said bonds shall be signed by the chairman of the board, countersigned by the county treasurer, and authenticated by the seal of the county; coupons for interest shall be attached to each bond, and each of said coupons shall be consecutively numbered and signed by the chairman of said board and the county treasurer.

Clerk to keep record

SEC. 3. The clerk of the board of county commissioners shall keep a record of all proceedings under the provisions of this act, showing the number and date of each bond and to whom issued.

Negotiation of bonds

SEC. 4. The board of county commissioners of White Pine County is hereby authorized to negotiate the sale of said bonds, or such number thereof as they may deem necessary, by advertising for sealed proposals or by private sales, as they may deem for the best interests of the county, and may reject any and all bids; *provided*, that no bonds shall be sold for less than par value; *and provided further*, that all bonds shall be made payable in gold coin of the United States, and the interest thereon shall be payable in like gold coin.

Interest and redemption

SEC. 5. Said bonds shall be numbered consecutively from one to thirty, and shall be redeemable at the rate of two each year, and the interest on the same shall not exceed six per cent per annum, payable semiannually on the first Mondays of January and July of each year, beginning with the first Monday of July, 1918. Said bonds shall be in the denomination of five hundred (\$500) dollars each.

Fund created

SEC. 6. The moneys derived from the sale of said bonds shall be paid to the county treasurer of said county, and the said treasurer is hereby required to receive and safely keep the same in a fund hereby created and known as "Ely School District Fund No. Two," and to pay out said moneys only in the manner provided by law, and for the purposes for which the same were received.

School trustees to use money for various purposes

SEC. 7. The board of trustees of said Ely school district No. one is hereby authorized and directed to use said moneys arising from the sale of said bonds, or such number thereof as they may deem necessary, for the purchase of sites for the construction, equipment and furnishing of a school building, or school buildings, in the said Ely school district No. one, and for the payment of any existing indebtedness of said school district, and any balance remaining in said funds, after the completion, equipment and furnishing of the said building or buildings, and the

purchase of such site or sites, and the payment of such indebtedness, shall be put into a fund herein provided for, for the redemption and payment of said bonds and the interest.

SEC. 8. Said board of trustees of Ely school district No. one shall select and purchase a site or sites, and shall determine as to the character of said building or buildings, the materials to be used therefor, and when said determination is made said board shall advertise for bids for the construction of said school building or buildings, and let the construction thereof to the lowest and most responsible bidder. The laws in force governing contracts by boards of county commissioners are hereby made applicable to, and the same shall govern, the action of the board of trustees of said Ely school district in carrying out the provisions of this act. All demands and bills contracted by said board of trustees of said Ely school district shall be paid in the manner now provided by law; *provided*, that no such bill shall be allowed until the plans for said school building or buildings shall have been approved by the state superintendent of public instruction.

Trustees to let contracts for school buildings

SEC. 9. As soon as possible after the passage of this act, or after this act shall become a law, the board of trustees of said Ely school district shall proceed to select and purchase an appropriate site for said school building in the city of Ely in said county, and the said board of trustees of said Ely school district shall thereafter, with all expedient dispatch, proceed to the execution of the purposes of this act.

To execute purposes of act

SEC. 10. The county treasurer of said White Pine County shall be liable on his official bond for the safe keeping of the moneys which shall come into his hands under the provisions of this act, and for the faithful discharge of his duties in relation thereto.

County treasurer liable as custodian

SEC. 11. For the purpose of creating a fund for the payment of the bonds authorized by this act, and the interest thereon, the board of county commissioners of said White Pine County is hereby authorized and required to levy and collect annually a special tax upon the assessment valuation of all property, both real and personal, subject to taxation, including the proceeds of mines, within the boundaries of said Ely school district, until said bonds and the interest thereon shall have been fully paid, sufficient to pay the interest on said bonds and retire, beginning with bond number one and consecutively thereafter, two of said bonds annually, beginning with the first Monday of July, 1918, until all of said bonds have been redeemed and retired. Such tax shall be levied and collected in the same manner and at the same time as other taxes are assessed and collected, and the proceeds thereof shall be kept by the county treasurer in a special fund to be known as "Ely School District Fund No. Two"; *provided, however*, that if the

Fund for redemption of bonds

Special tax

Proviso

ment of the same for school purposes in Ely school district No. one, of said county, and for the further purpose of liquidating any indebtedness now existing and payable by said Ely school district No. one.

County commissioners to issue bonds

SEC. 2. The board of county commissioners of said White Pine County shall cause said bonds to be prepared and made ready for issuance. Said bonds shall be signed by the chairman of the board, countersigned by the county treasurer, and authenticated by the seal of the county; coupons for interest shall be attached to each bond, and each of said coupons shall be consecutively numbered and signed by the chairman of said board and the county treasurer.

Clerk to keep record

SEC. 3. The clerk of the board of county commissioners shall keep a record of all proceedings under the provisions of this act, showing the number and date of each bond and to whom issued.

Negotiation of bonds

SEC. 4. The board of county commissioners of White Pine County is hereby authorized to negotiate the sale of said bonds, or such number thereof as they may deem necessary, by advertising for sealed proposals or by private sales, as they may deem for the best interests of the county, and may reject any and all bids; *provided*, that no bonds shall be sold for less than par value; *and provided further*, that all bonds shall be made payable in gold coin of the United States, and the interest thereon shall be payable in like gold coin.

Interest and redemption

SEC. 5. Said bonds shall be numbered consecutively from one to thirty, and shall be redeemable at the rate of two each year, and the interest on the same shall not exceed six per cent per annum, payable semiannually on the first Mondays of January and July of each year, beginning with the first Monday of July, 1918. Said bonds shall be in the denomination of five hundred (\$500) dollars each.

Fund created

SEC. 6. The moneys derived from the sale of said bonds shall be paid to the county treasurer of said county, and the said treasurer is hereby required to receive and safely keep the same in a fund hereby created and known as "Ely School District Fund No. Two," and to pay out said moneys only in the manner provided by law, and for the purposes for which the same were received.

School trustees to use money for various purposes

SEC. 7. The board of trustees of said Ely school district No. one is hereby authorized and directed to use said moneys arising from the sale of said bonds, or such number thereof as they may deem necessary, for the purchase of sites for the construction, equipment and furnishing of a school building, or school buildings, in the said Ely school district No. one, and for the payment of any existing indebtedness of said school district, and any balance remaining in said funds, after the completion, equipment and furnishing of the said building or buildings, and the

purchase of such site or sites, and the payment of such indebtedness, shall be put into a fund herein provided for, for the redemption and payment of said bonds and the interest.

SEC. 8. Said board of trustees of Ely school district No. one shall select and purchase a site or sites, and shall determine as to the character of said building or buildings, the materials to be used therefor, and when said determination is made said board shall advertise for bids for the construction of said school building or buildings, and let the construction thereof to the lowest and most responsible bidder. The laws in force governing contracts by boards of county commissioners are hereby made applicable to, and the same shall govern, the action of the board of trustees of said Ely school district in carrying out the provisions of this act. All demands and bills contracted by said board of trustees of said Ely school district shall be paid in the manner now provided by law; *provided*, that no such bill shall be allowed until the plans for said school building or buildings shall have been approved by the state superintendent of public instruction.

Trustees to let contracts for school buildings

SEC. 9. As soon as possible after the passage of this act, or after this act shall become a law, the board of trustees of said Ely school district shall proceed to select and purchase an appropriate site for said school building in the city of Ely in said county, and the said board of trustees of said Ely school district shall thereafter, with all expedient dispatch, proceed to the execution of the purposes of this act.

To execute purposes of act

SEC. 10. The county treasurer of said White Pine County shall be liable on his official bond for the safe keeping of the moneys which shall come into his hands under the provisions of this act, and for the faithful discharge of his duties in relation thereto.

County treasurer liable as custodian

SEC. 11. For the purpose of creating a fund for the payment of the bonds authorized by this act, and the interest thereon, the board of county commissioners of said White Pine County is hereby authorized and required to levy and collect annually a special tax upon the assessment valuation of all property, both real and personal, subject to taxation, including the proceeds of mines, within the boundaries of said Ely school district, until said bonds and the interest thereon shall have been fully paid, sufficient to pay the interest on said bonds and retire, beginning with bond number one and consecutively thereafter, two of said bonds annually, beginning with the first Monday of July, 1918, until all of said bonds have been redeemed and retired. Such tax shall be levied and collected in the same manner and at the same time as other taxes are assessed and collected, and the proceeds thereof shall be kept by the county treasurer in a special fund to be known as "Ely School District Fund No. Two"; *provided, however*, that if the

Fund for redemption of bonds

Special tax

Proviso

Special state
tax for
interest and
redemption
of bonds

SEC. 3. There shall be annually levied an ad valorem tax of five-tenths of one cent on each one hundred dollars of taxable property in the State of Nevada, including the net proceeds of mines, and all moneys derived therefrom shall be paid into the university agricultural building interest and redemption fund, which shall be used for the purpose of paying interest and the annual redemption of the bonds authorized by this act. If after the payment of interest and the redemption of the number of bonds as herein provided for, there shall remain a surplus in said fund, such surplus shall be used for the retirement and cancelation of additional bonds provided in this act to the amount of such surplus.

Board of
regents to
erect
building

SEC. 4. The board of regents of the state university is hereby authorized and directed to erect an agricultural building at the University of Nevada and to provide for the heating and lighting and equipping of said building. The cost of said building, and the construction thereof, together with the heating and lighting system and all equipment thereof, shall not exceed the sum of eighty thousand dollars. Said board of regents on or before the first day of September, 1917, may employ a competent architect to prepare and submit plans and specifications to said board for the construction work and heating and lighting system herein provided for, and when said plans and specifications are approved by the board said board shall advertise for a period of six weeks for sealed bids for the construction of said building and the heating and lighting system thereof in accordance with the specifications, which shall be on file subject to inspection. Said board shall let the contract for the construction of said building and the heating and lighting system thereof to the lowest responsible bidder; *provided*, that any and all bids may, for sufficient reason, be rejected.

Bond from
contractors
to protect
state

SEC. 5. The board of regents shall provide in all contracts for time and amounts of payments thereon, as the work progresses, a reasonable stated proportion of moneys earned to be withheld until the completion and acceptance of the work by said board. Good and sufficient bonds to protect the state shall be required from the contractors. All bills for the employment of architect and for the erection and the heating and lighting system of said building and equipment thereof shall be paid out of the university agricultural building fund, herein provided for in section 2, upon bills approved by the board of regents of the state university, and audited and approved by the board of examiners of the State of Nevada as other claims against the state are paid.

CHAP. 96—*An Act to amend section sixty-five of an act entitled "An act concerning public schools, and repealing certain acts relating thereto," approved March 20, 1911 (being section 3303 of the Revised Laws of Nevada, 1912).*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section sixty-five of an act entitled "An act concerning public schools, and repealing certain acts relating thereto," approved March 20, 1911, is hereby amended to read as follows:

Section 65. It shall be the duty of the board of trustees, a majority of whom shall constitute a quorum for the transaction of business, to meet on the first Monday in May following their election, or as soon as practicable thereafter, after taking the oath of office, at such place as may be most convenient in the district, and to organize by electing one of their number president of the board and another as clerk. It shall be the duty of the president to preside at the meetings of the board. It shall be the duty of the clerk to record the proceedings of the board in a book to be provided for the purpose, and all such proceedings when so recorded shall be signed by such clerk. Said book shall at all times be subject to the inspection of the deputy superintendent of public instruction and of any taxpayer in the district. In districts having a school-census population of three hundred or more and not exceeding one thousand, the clerk of the board of trustees may receive such salary as said board may allow; *provided*, that such salary shall not exceed twenty-five dollars per month; *provided*, that in districts having a school-census population of one thousand or more, the clerk of the board of trustees shall receive a salary not to exceed fifty dollars per month.

Organization
of boards of
school
trustees

Salary of
clerk of
board

CHAP. 97—*An Act to regulate the fees of the county clerk of Lincoln County, State of Nevada, and to repeal all other acts and parts of acts in conflict therewith.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The county clerk of the county of Lincoln, State of Nevada, as county clerk and ex officio clerk of the district court of the Tenth judicial district of the State of Nevada, in and for the county of Lincoln, shall, from and after the passage of this act, charge and collect the following fees:

Fees of clerk
of Lincoln
County

On commencement of any action or proceeding in the district court or on an appeal thereto, or on the transfer of any

Special state
tax for
interest and
redemption
of bonds

SEC. 3. There shall be annually levied an ad valorem tax of five-tenths of one cent on each one hundred dollars of taxable property in the State of Nevada, including the net proceeds of mines, and all moneys derived therefrom shall be paid into the university agricultural building interest and redemption fund, which shall be used for the purpose of paying interest and the annual redemption of the bonds authorized by this act. If after the payment of interest and the redemption of the number of bonds as herein provided for, there shall remain a surplus in said fund, such surplus shall be used for the retirement and cancelation of additional bonds provided in this act to the amount of such surplus.

Board of
regents to
erect
building

SEC. 4. The board of regents of the state university is hereby authorized and directed to erect an agricultural building at the University of Nevada and to provide for the heating and lighting and equipping of said building. The cost of said building, and the construction thereof, together with the heating and lighting system and all equipment thereof, shall not exceed the sum of eighty thousand dollars. Said board of regents on or before the first day of September, 1917, may employ a competent architect to prepare and submit plans and specifications to said board for the construction work and heating and lighting system herein provided for, and when said plans and specifications are approved by the board said board shall advertise for a period of six weeks for sealed bids for the construction of said building and the heating and lighting system thereof in accordance with the specifications, which shall be on file subject to inspection. Said board shall let the contract for the construction of said building and the heating and lighting system thereof to the lowest responsible bidder; *provided*, that any and all bids may, for sufficient reason, be rejected.

Bond from
contractors
to protect
state

SEC. 5. The board of regents shall provide in all contracts for time and amounts of payments thereon, as the work progresses, a reasonable stated proportion of moneys earned to be withheld until the completion and acceptance of the work by said board. Good and sufficient bonds to protect the state shall be required from the contractors. All bills for the employment of architect and for the erection and the heating and lighting system of said building and equipment thereof shall be paid out of the university agricultural building fund, herein provided for in section 2, upon bills approved by the board of regents of the state university, and audited and approved by the board of examiners of the State of Nevada as other claims against the state are paid.

CHAP. 96—*An Act to amend section sixty-five of an act entitled "An act concerning public schools, and repealing certain acts relating thereto," approved March 20, 1911 (being section 3303 of the Revised Laws of Nevada, 1912).*

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The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section sixty-five of an act entitled "An act concerning public schools, and repealing certain acts relating thereto," approved March 20, 1911, is hereby amended to read as follows:

Organization
of boards of
school
trustees

Section 65. It shall be the duty of the board of trustees, a majority of whom shall constitute a quorum for the transaction of business, to meet on the first Monday in May following their election, or as soon as practicable thereafter, after taking the oath of office, at such place as may be most convenient in the district, and to organize by electing one of their number president of the board and another as clerk. It shall be the duty of the president to preside at the meetings of the board. It shall be the duty of the clerk to record the proceedings of the board in a book to be provided for the purpose, and all such proceedings when so recorded shall be signed by such clerk. Said book shall at all times be subject to the inspection of the deputy superintendent of public instruction and of any taxpayer in the district. In districts having a school-census population of three hundred or more and not exceeding one thousand, the clerk of the board of trustees may receive such salary as said board may allow; *provided*, that such salary shall not exceed twenty-five dollars per month; *provided*, that in districts having a school-census population of one thousand or more, the clerk of the board of trustees shall receive a salary not to exceed fifty dollars per month.

Salary of
clerk of
board

CHAP. 97—*An Act to regulate the fees of the county clerk of Lincoln County, State of Nevada, and to repeal all other acts and parts of acts in conflict therewith.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The county clerk of the county of Lincoln, State of Nevada, as county clerk and ex officio clerk of the district court of the Tenth judicial district of the State of Nevada, in and for the county of Lincoln, shall, from and after the passage of this act, charge and collect the following fees:

Fees of clerk
of Lincoln
County

On commencement of any action or proceeding in the district court or on an appeal thereto, or on the transfer of any

CHAP. 98—*An Act to provide for the distribution of property remaining after the Panama-Pacific and Panama-California expositions to certain departments of the University of Nevada.*

[Approved March 14, 1917]

Preamble WHEREAS, The University of Nevada aided materially in and certain departments thereof were responsible in a large measure for the successful accumulation and presentation of the Nevada exhibits at the Panama-Pacific exposition and the Panama-California exposition, heads of said departments and subordinates thereof having without charge for service to the state collected and supervised the exhibition of the entire Nevada exhibits; and

University to have effects left from Panama expositions WHEREAS, There remain, subject to the disposition of the state, various articles of furniture, booths, fixtures, cases, ornaments and exhibits which are now stored at the University of Nevada, and these require proper distribution and permit some measure of acknowledgment for the aforesaid services rendered.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

How distributed SECTION 1. All of the articles and materials mentioned in the preamble of this act shall be distributed by the board of regents of the University of Nevada and in such distribution the mining department, the engineering department, and the agricultural department shall have preferential treatment. The agricultural exhibit booths, with appropriate columns, fixtures, cases, ornaments and exhibits shall be distributed to the agricultural department and the mining exhibit booths, with appropriate columns, fixtures, cases, ornaments and exhibits, shall be distributed to the mining department. The mining exhibits donated by exhibitors and entrusted already to the mining department may be retained there, and in like manner the agricultural exhibits donated by exhibitors and entrusted already to the agricultural department may be retained there.

Regents to make distribution SEC. 2. The board of regents of the university shall forthwith make the distribution provided for in this act conformably to this act, and where not specifically directed shall make the distribution as in its judgment may appear best.

CHAP. 99—*An Act to provide for the publication of bulletins, circulars, and periodicals of the agricultural extension division, University of Nevada, at the state printing office.*

[Approved March 14, 1917]

Preamble WHEREAS, The provisions of chapter 249, Nevada Statutes, 1913, provide for a monthly publication of sixteen pages and

fifteen hundred copies by the Nevada experiment station (such assignment which is applicable to the agricultural extension division), and which said authority to publish is entirely insufficient to meet the needs of said agricultural extension division; and

WHEREAS, In the cooperative agreement annually entered into with the United States Department of Agriculture for agricultural extension work in the State of Nevada the cost of such publications at the state printing office may be properly entered as a part of the state's appropriation toward such cooperative work, and for such reason it is desirable to express the value thereof in money; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The state printer is hereby authorized and directed to publish at the state printing office such bulletins, circulars or periodicals as may be required by the agricultural extension division, University of Nevada, not exceeding for cost of paper, composition, printing and binding the sum of one thousand (\$1,000) dollars per year, payable from any appropriation in support of the state printing office; *provided*, that the state printer shall be reimbursed the cost of any publication of said division in excess of said amount from any federal or state appropriation in support of said agricultural extension division.

State Printer to do printing for agricultural extension division to extent of \$1,000 per year

CHAP. 100—*An Act to appropriate funds for use in case of emergencies affecting the public health and safety.*

[Approved March 14, 1917]

WHEREAS, Dread diseases and afflictions, such as infantile paralysis and spinal meningitis, have suddenly appeared and become epidemic within recent years in the several states, to the great peril and injury of the public health; and

Preparing forepidemics

WHEREAS, The State of Nevada may be similarly visited, despite care and precaution, and there is no adequate fund to provide against and care for such an emergency; therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of ten thousand dollars (\$10,000) is hereby appropriated, from the general fund in the treasury of the State of Nevada not otherwise appropriated, as an emergency fund to be expended by the state board of health, subject to the approval of the governor, when it appears to the state board of health and the governor that a great menace to the public health and safety exists and is beyond the control of the county, municipal or other local authorities.

Emergency fund, \$10,000

Regular
payments

SEC. 2. All claims incurred in carrying out the provisions of this act shall be paid in the same manner as other state claims are paid.

CHAP. 101—*An Act providing an appropriation for payment of abstracts of title to state lands.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

To perfect
title to cer-
tain state
property

SECTION 1. The sum of one hundred (\$100) dollars is hereby appropriated, out of any moneys in the general fund of the state treasury not otherwise appropriated, in payment for the preparation of new abstracts of title and completion of old abstracts of title to the state fish hatchery grounds, the insane asylum grounds, and the university grounds, to be used in pending litigation concerning the water rights of said properties.

SEC. 2. Claims against said appropriation shall be allowed and paid in the usual course of claims against the state.

CHAP. 102—*An Act fixing the salary of the constable of Goodsprings township, Clark County, State of Nevada, and providing for the payment thereof.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Salary of
constable of
Goodsprings
township

SECTION 1. The constable of Goodsprings township, Clark County, Nevada, shall receive a salary of fifty (50) dollars per month; *provided*, that all fees collected by said constable shall be paid into the treasury of Clark County.

SEC. 2. The county auditor of Clark County, Nevada, shall draw his warrant in favor of the constable of Goodsprings township, and the county treasurer of said county shall pay the same.

In effect
April 1, 1917

SEC. 3. This act shall take effect on the first day of April, 1917.

CHAP. 103—*An Act fixing the salaries of certain justices of the peace in the county of Nye, in the State of Nevada, and other matters relating thereto.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the first day of January, 1919, certain justices of the peace, in certain townships

specifically named in said Nye County, State of Nevada, and their successors in office, shall receive the salaries named in this act, to wit: The justice of the peace in and for the township of Tonopah, in said county and state, shall receive a salary of eighteen hundred dollars per annum. The justice of the peace in and for the township of Manhattan, in said county and state, shall receive a salary of twelve hundred dollars per annum. The justice of the peace in and for the township of Round Mountain, in said county and state, shall receive a salary of six hundred dollars per annum. The above-named salaries shall be considered in full payment for all services in criminal and civil proceedings and shall be paid in twelve equal monthly installments, and the county auditor shall each month draw his warrant in favor of said officials for the salaries due for the last preceding month, and the county treasurer shall pay said warrants in like manner as the salaries of other county officers are paid.

Fixing salaries of certain justices of the peace in Nye County

SEC. 2. All other justices of the peace in said Nye County, State of Nevada, and their successors in office, shall receive no stipulated salary, but shall be permitted to retain all fees collected and allowed by law.

Other justices to receive fees only

SEC. 3. All acts and parts of acts in conflict with this Repeal act are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after January 1, 1919.

In effect Jan. 1, 1919

CHAP. 104—*An Act to authorize and direct the board of school trustees of Lyon County school district number eighteen, of Lyon County, State of Nevada, to issue bonds for the purpose of liquidating, canceling, and retiring floating indebtedness outstanding prior to date of present bond issue.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The board of school trustees of school district No. 18, Lyon County, State of Nevada, is hereby authorized and required to prepare and issue bonds of said school district in the amount of two thousand five hundred dollars, or such portion thereof as may be necessary, for the purpose of providing funds for paying off, liquidating, canceling, and retiring floating indebtedness outstanding against said school district at the time of the issuance of the present bonds thereof, which said floating debt was created in the construction and equipping of school property owned and used by said district, and in the conduct of the schools of said district prior to the issuance of the present bonds, and the equipment and construction of the schoolhouse now used and occupied by said district for school purposes.

Bonds for school district No. 18, Lyon County

**Denomina-
tion of bonds;
interest
limited**

SEC. 2. The bonds authorized hereunder shall be issued in the sum of two hundred and fifty dollars each; shall bear interest at a rate not to exceed six per cent per annum; said bonds shall be numbered from one to ten, inclusive, and shall be signed by the president and clerk of said board of school trustees and countersigned by the treasurer of Lyon County. Coupons for interest shall be attached to each bond, so that the same may be removed without injury to the bond, and each of said coupons shall be consecutively numbered and signed by the clerk of said board of trustees.

**Negotiation
of bonds**

SEC. 3. The board of school trustees of said school district No. 18 are hereby authorized to negotiate the sale of the said bonds by advertising for sealed bids, or by private sale, as they may deem for the best interest of the school district; *provided*, that no bonds shall be sold for less than their par value, and that the principal and interest of said bonds shall be made payable in gold coin of the United States.

**Floating
debt fund
created**

SEC. 4. All moneys received from the sale of said bonds shall be paid to the county treasurer of Lyon County, Nevada, and the said county treasurer is hereby required to receive and safely keep the same in a fund to be known as the "Lyon County School District No. Eighteen Floating Debt Fund," and to pay out said moneys only on warrants signed by the president and clerk of the board of school trustees of said school district No. 18.

**Refunding
bond
redemption
and interest
fund created**

SEC. 5. For the purpose of creating a fund for the payment of said bonds as authorized by this act and the interest thereon, the board of county commissioners of Lyon County is hereby authorized and required, at the time of making the annual levy of taxes for state and county purposes for the year 1917, and annually thereafter, to levy sufficient tax on all property, both real and personal, to redeem one of said bonds each year, and the payment each year of the accumulated interest on all the bonds authorized by this act. The taxes so levied shall be assessed and collected as other taxes are assessed and collected and shall be paid into the county treasury and set apart as a fund, which is hereby created, to be known as the "Lyon County School District No. Eighteen Refunding Bond Redemption and Interest Fund."

**Interest
paid semi-
annually**

SEC. 6. On the first Monday in July, A. D. 1918, and every year thereafter one of said bonds, together with the interest thereon and the accumulated interest on all unredeemed bonds, shall be paid. The payment and redemption of said bonds shall be in the order of their issuance, the lowest-numbered bond to be first paid and redeemed, and so on until the whole amount of bonds issued under the provisions of this act, together with the interest coupons, have been paid off and redeemed.

**Interest
ceases, when**

SEC. 7. No bond or coupon herein provided for shall draw interest after the date same shall become due and payable. Said bonds shall mature following their numerical order,

and beginning the first Monday in July, 1918, one each year thereafter until all are paid.

SEC. 8. As and when the bonds herein provided for shall be redeemed, the county treasurer shall mark same "Paid" across the face thereof, with his signature and the date of payment, turn same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners, and the auditor shall credit the treasurer on his books for the amount so paid. All bonds and interest coupons issued hereunder shall be payable at the office of the county treasurer of Lyon County.

Treasurer to cancel paid bonds

SEC. 9. Whenever the bonds and interest herein provided for shall have been paid the tax authorized by this act shall cease, and all moneys remaining in said bond fund shall, by order of the board of county commissioners of Lyon County, be transferred to the county school fund of said school district No. 18.

Residue reverts to county school fund

SEC. 10. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor taxation thereby imposed omitted, until all the bonds and coupons issued thereunder shall have been paid in full.

Faith of state pledged

CHAP. 105—*An Act fixing the compensation of county officers in Nye County, and matters pertaining to the collection and disposition of fees arising from such offices, regulating the conduct thereof, and abolishing certain offices, and to repeal all acts and parts of acts in conflict therewith.*

[Approved March 14, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The county officers of Nye County, State of Nevada, named in this act, shall receive the following compensation in full for all their services in such offices:

Fixing salaries of Nye County officers

SEC. 2. The district attorney shall receive a salary of thirty-six hundred dollars per annum for all his services as such officer. He shall have such deputy or deputies, to be named by him, as the board of county commissioners of said Nye County, by unanimous consent, may deem necessary, and at such time and for such time as they may direct. Any such deputy shall receive a salary not to exceed one hundred and fifty dollars per month, to be fixed by the board of county commissioners. He shall be allowed all his actual traveling expenses, to consist of actual cost of his transportation and living expenses while absent from the county-seat in the performance of his official duties; *provided*, said expenses shall be first audited and allowed by the said board of county commissioners. The district attorney shall receive no fees or compensation other than is herein provided for the performance of his official duties.

Fixing
salaries of
Nye County
officers

SEC. 3. The county clerk shall receive a salary of three thousand dollars per annum for all his services in said office, and shall be allowed one deputy, to be named by him, at a compensation of eighteen hundred dollars per annum. Neither the county clerk nor his deputy shall receive, either directly or indirectly, for any services, any other of the public moneys of the state or county.

Beginning with the term commencing in January, A. D. 1919, the county clerk shall be ex officio treasurer of Nye County, and shall assume and perform all the duties of such office without additional compensation. The board of county commissioners, by unanimous consent, may allow the ex officio treasurer to have such deputy or deputies as in their judgment may be necessary, at such compensation and for such length of time as they may direct. Any such deputy shall receive a salary not to exceed one hundred and fifty dollars per month, to be fixed by the board of county commissioners.

The county clerk shall collect in advance, and monthly turn into the county treasury, such fees and compensations as are now provided by law for services in his office.

SEC. 4. The county recorder and auditor of said county shall receive a salary of three thousand dollars per annum as compensation for all his services as such officer; he shall collect and pay into the county treasury of the county all such fees as are now provided for by law. He shall be allowed one deputy, to be named by him, at a salary of eighteen hundred dollars per annum, and shall have such other deputies, to be named by him, as the board of county commissioners, by unanimous consent, may deem necessary, and at such compensation and for such time as they may direct. Any such deputy shall receive a salary not to exceed one hundred and fifty dollars per month, to be fixed by the board of county commissioners.

SEC. 5. The sheriff of said county shall receive a salary of four thousand dollars per annum in full compensation for his services to said county as sheriff or in any ex officio capacity of any kind whatsoever, and shall have one undersheriff, to be selected by him, at a compensation of eighteen hundred dollars per annum, and such other deputies, to be named by him, as the board of county commissioners, by unanimous consent, may deem necessary, and for such time and compensation as they may fix. Any such deputy shall receive a salary not to exceed one hundred and fifty dollars per month, to be fixed by the board of county commissioners. He shall be allowed all his actual traveling expenses, to consist of actual cost of his transportation and living expenses while absent from the county-seat in the performance of his official duties; *provided*, said expenses shall be first audited and allowed by the board of county commissioners; *provided*, *however*, that the sheriff shall collect for all services in his

Provido

office, and pay over monthly into the county treasury of said county such fees as are provided for in an act of the legislature of the State of Nevada entitled "An act to regulate fees and compensation for official and other services in the State of Nevada and to repeal all other acts in relation thereto," approved February 27, 1883; *provided* that in lieu of the mileage provided in said act the sheriff shall charge and collect as mileage the actual and necessary traveling expenses of himself or deputy in the service of any summons and complaints, or other process issuing out of the district court; *provided, further*, that where there is a deputy or other officer competent to perform said service, without the sheriff actually incurring any traveling expenses, no mileage shall be charged. Said sheriff shall continue to act as ex officio assessor of said county without additional compensation, and shall have such deputies, to be named by him, as the county commissioners may, by unanimous consent, deem necessary, and at such compensation and for such time as they may direct. Any such deputy shall receive a salary not to exceed one hundred and fifty dollars per month, to be fixed by the board of county commissioners.

SEC. 6. At the expiration of the term of the incumbent, in January, 1919, the office of county treasurer shall be abolished as a separate office, and the county clerk shall thereupon assume and perform all the duties and functions of such office as ex officio treasurer of said Nye County, without additional compensation.

SEC. 7. Words in this act in the masculine gender shall be construed to comprehend the feminine gender.

SEC. 8. All acts and parts of acts in conflict with the provisions of this act are hereby repealed, and this act shall be effective on and after January 1, 1919.

CHAP. 106—*An Act to amend an act entitled "An act providing a general corporation law," approved March 16, 1903.*

[Approved March 15, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 3 of said act, being section 1107 of the Revised Laws of Nevada, is hereby amended to read as follows:

1107. Section 3. All the persons who desire to form a corporation for any one or more of the purposes specified in this act shall make, sign and acknowledge before some person competent to take the acknowledgment of deeds, and file and have recorded in a book provided for that purpose, in the office of the secretary of state, articles of incorporation or a certificate of incorporation; and file a copy thereof, certified

Duty of
secretary of
state

under the hand and official seal of the secretary of state, in the office of the clerk of the county in which the principal place of business of the company is intended to be located. Said articles or certificate of incorporation shall be as provided in section 4 of this act, and it shall be the duty of the secretary of state to require the same to be in the form so prescribed, and that the name of the proposed corporation distinguishes it from any other corporation at that time organized and existing under and by virtue of the laws of the State of Nevada; and if any such articles or certificates shall be defective in either respect, the secretary of state shall return the same for correction.

SEC. 2. Section 6 of said act, being section 1110 of the Revised Laws of Nevada, is hereby amended to read as follows:

Certificate so
filed to be
prima facie
evidence

1110. Section 6. A copy of any certificate of incorporation or articles of incorporation filed in pursuance of this act, and certified by the secretary of state under his official seal, or a copy of the copy thereof filed with the county clerk under the county seal, certified by said clerk, shall be received in all courts and places as *prima facie* evidence of the facts therein stated, and of the existence and due incorporation of said corporation therein named.

Section
repealed

SEC. 3. Section 19 of said act, being section 1123 of the Revised Laws of Nevada, is hereby repealed.

SEC. 4. Section 70 of said act, being section 1171 of the Revised Laws of Nevada, is hereby amended to read as follows:

Procedure
when principal
place of
business is
changed, or
property is
acquired in
another
county

1171. Section 70. Whenever the principal office of a corporation is changed from one county to another by amendment of its articles of incorporation, or otherwise, and whenever any corporation becomes the owner or lessee of any real property in any county other than that in which it has its principal place of business, or whenever copies of its articles of incorporation and of all amendments thereto are not on file or of record in the office of the county clerk of the county where its principal office is situated, or where it owns, holds, leases, manages or controls any real property, such corporation must file in the office of the county clerk of such county to which its office is changed, or where it owns or holds any real property in this state, a certified copy of its original articles of incorporation and of each amendment thereto, or a certified copy of the copy thereof filed with the county clerk of the county where it has its principal place of business; and no corporation shall maintain or defend any suit in such county until this is done; and if any corporation fails to cause said papers to be so filed any person desiring for a lawful purpose to examine the same may procure and file in such county clerk's office said papers or any of them not then filed, and may recover the expense thereof with the costs of suit in an action against such delinquent corporation.

Inhibition as
to suits at
law

1190. Section 89. A corporation may be dissolved as follows:

a. The board of directors shall adopt a resolution that such corporation be dissolved, and shall submit such resolution for the approval or rejection of the stockholders at their next regular annual meeting, or at a special meeting called for that purpose in accordance with the by-laws of the company. Such meeting may, by the consent of a majority in interest of the stockholders present, and without notice, be adjourned from time to time. If at any such meeting, or at any adjournment thereof, two-thirds in interest of all the stockholders and two-thirds in interest of any class of creditors entitled to vote at such meeting shall vote their approval of such resolution and dissolution, the president and secretary shall file with the secretary of state their certificate under oath setting forth such resolution, its adoption by the directors and the date thereof, the date of the stockholders meeting at which such resolution was voted on, that such meeting was called and held in accordance with the by-laws of said company, the total number of shares of such corporation outstanding at the date of such meeting, the total number of shares voted, the number of shares voted in favor of the approval of such resolution and the dissolution of said company, the number of shares voted in favor of the rejection of such resolution, and the vote cast for and against the adoption of such resolution by any class of creditors entitled to vote.

How corporations may be dissolved

b. If nine-tenths in interest of all the stockholders and nine-tenths in interest of any class of creditors entitled to vote shall file with the secretary of any corporation their consent in writing to the dissolution of such corporation, the president and secretary shall file with the secretary of state their certificate under oath stating such facts.

Same

Upon the filing with the secretary of state of either of the certificates above mentioned, and upon payment of the fees therefor required by law, the said corporation shall be and shall stand dissolved, and the secretary of state shall make an endorsement showing such dissolution and the date thereof upon the original articles of incorporation of such corporation, and all amendments thereof, on file in his office.

Final action

SEC. 5. This act shall not affect the validity of the organization of any corporation heretofore organized under and according to the laws of this state.

Not to affect validity of previous corporations

CHAP. 107—*An Act defining the duties of the secretary of state in regard to the disposition of certain publications, and other matters in relation thereto.*

[Approved March 15, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Legislative
Journals to
be sold for 50
cents per
volume
Members
may buy
Revised
Laws at \$3
per set

SECTION 1. The secretary of state shall sell to the public, on application, the journals of the senate and assembly for fifty cents per volume.

SEC. 2. The secretary of state may sell to the members of this and succeeding legislatures the Revised Laws of Nevada at three dollars per set, but not more than one set shall be sold at this price to any one member.

CHAP. 108—*An Act to amend an act entitled "An act to establish a state printing office, and to create the office of superintendent of state printing."*

[Approved March 15, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section five of the above-entitled act is hereby amended to read as follows:

Duties of
superintend-
ent of state
printing

Legislative
printing and
binding

Printing for
state officers
and boards

Section 5. The duties of the superintendent of state printing shall be as follows: He shall have the entire charge and superintendence of the state printing, and all matters pertaining to his office. He shall take charge of and be responsible for all manuscripts or other matter which may be placed in his hands to be printed, and shall cause the same to be promptly executed. He shall receive from the senate or assembly all matter ordered by either house to be printed and bound, or either printed or bound, and shall keep a record of the same, and of the order in which it may be received, and when the work shall have been executed he shall deliver the finished sheets, or volumes, to the sergeant-at-arms of either house, as the case may be, or any department authorized to receive them. He shall receive and promptly execute all orders for printing required to be done by the various state officers, boards, and commissions. He shall employ such compositors, machine operators, pressmen, or assistants, as the exigency of the work may from time to time require, and may at any time discharge such employees; *provided*, that at no time shall he pay said compositors, machine operators, pressmen, or assistants a higher rate of wages than is recognized by the employing printers of the State of Nevada, or the nature of the employment may require. He shall at no time employ more compositors, machine operators, pressmen, or assistants than the necessities of the state printing may require, and he shall not permit

any other than state work to be done in the state printing office. On the first business day after the first and fifteenth days of each month the superintendent of state printing shall submit to the state board of examiners a statement of the salary or wages then due each employee for the semimonthly period immediately preceding. The state board of examiners shall then immediately consider said pay-roll, and after its approval by the board, or a majority thereof, the state controller shall draw his warrants on the state treasurer in payment of said salaries or wages in the same manner that other salaries are paid. The superintendent of state printing shall biennially, prior to the meeting of the legislature, make a report to the governor, embracing a record of the complete transactions of his office.

Semi-monthly pay-day for employees of state printing office

Examiners to act

Biennial report of superintendent

SEC. 2. Section fourteen of the above-entitled act is hereby amended to read as follows:

Section 14. There shall be printed of the statutes of each legislature twelve hundred copies. Eight hundred copies shall be bound in buckram or law sheep, and four hundred copies shall remain unbound until such time as they may be needed. The bound volumes shall contain the laws, resolutions and memorials passed at each legislative session, the report of the state treasurer, the constitution of the United States, and the constitution of the State of Nevada. No other report or thing whatever shall be bound therewith.

Statutes. 1,200 copies

SEC. 3. Section fifteen of the above-entitled act is hereby amended to read as follows:

Section 15. The journals and appendix of the two houses of the legislature shall be printed, and there shall be five hundred copies of the journals and one hundred copies of the appendix, bound in the same style as those of the twenty-seventh session; and each member of the legislature of which such journals are the record shall be entitled to one copy of the same, that is to say, each senator shall have a copy of the senate and assembly journals, and each assemblyman shall have a copy of the assembly and senate journals; and the journal of each house shall be bound separately.

Journals. 500 copies

Appendix. 100 copies

One copy of each journal to each member

SEC. 4. Section twenty-one of the above-entitled act is hereby repealed.

Section repealed

CHAP. 109—*An Act to create the office of state inspector of apiaries, to provide for the appointment of state inspector of apiaries, and to define his duties and compensation; to prevent the dissemination of diseases among apiaries, and to provide for a system of inspection of apiaries by the state inspector of apiaries, and the treatment and extermination of diseases therein; making appropriations for the expense of the office of state inspector of apiaries; and providing penalties for the violation thereof, and repealing all other acts or parts of acts in relation thereto.*

[Approved March 15, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Office of
state
inspector of
apiaries
created

SECTION 1. The office of state inspector of apiaries in the State of Nevada is hereby created, and the governor may appoint in said State of Nevada a state inspector of apiaries, who is hereby empowered to appoint for a definitely limited period one or more deputies as may be needed to carry out the purposes of this act.

Duties of
inspector
and deputies

SEC. 2. It shall be the duty of such state inspector of apiaries, either by himself or deputies, to inspect all apiaries, and all buildings used in connection with such apiaries within the State of Nevada, at least once each year; and at such other times as he may deem necessary, upon report to him or whenever he has reason to believe that any apiary or apiaries may be infected with any disease injurious to honey bees in their egg, larval, pupal, or adult stages. If the inspector finds any such disease to exist in any apiary, appliance, structures, or buildings, he shall give to the owner or owners, caretaker or caretakers of such diseased property full instructions for such treatment as in the inspector's judgment seems best. The inspector, once each year, shall report the location and ownership of every apiary, with the number of bee colonies to the assessor of the county wherein situated.

Infected
beehives,
honey, etc.,
destroyed,
when

SEC. 3. The owner or owners, caretaker or caretakers of such diseased properties shall, within ten days after notice by the inspector of the presence of such disease, proceed to treat the same as advised and directed by the said inspector. The inspector shall, if it is deemed necessary, make a second examination of all diseased apiaries, property, and premises after ten days, or as soon thereafter as he shall deem advisable. If, in this second examination, a diseased condition shall be found which is in any manner dangerous to the welfare of honey bees in any of their stages, the inspector shall see that the proper treatment is immediately given, and the full expense of such treatment shall be paid by the owner of the property treated, and all the expenses of such treatment shall act as a lien on the property until paid. If the

inspector finds conditions such that further remedial treatment is inadvisable, he may burn a part or all of such diseased property to prevent further spread of disease, without recompense to the owner, lessees, or agent thereof. In the annual inspection of apiaries, hereinbefore provided for in this section, the inspector shall inspect each and every hive in said apiary or apiaries.

SEC. 4. If the owner, owners, lessee, lessees, agent, or caretaker of an apiary, including appliances, structures, buildings, and honey, wherein diseases exist, shall knowingly sell, barter, or give away, or move, without the consent of the inspector, any diseased bees, be they queens or workers, colonies, honey, combs, appliances, or structures, or knowingly expose other bees to the danger of such disease, said owner, owners, lessee, lessees, agent, or caretaker shall, on conviction, be liable to a fine of not less than fifty dollars nor more than one hundred dollars, or not less than one nor more than two months' imprisonment in the county jail.

Misde-meanor to dispose of infected bees, honey, etc.

SEC. 5. For the enforcement of the provisions of this act, the state inspector of apiaries or his deputy shall have access to all apiaries, appliances, structures, and premises where bees or their products are kept, and any person or persons who shall resist, impede, or hinder in any way the inspector or the deputy inspector in the discharge of his duties under the provisions of this act shall, on conviction, be liable to a fine of not less than fifty dollars nor more than one hundred dollars.

Inspector to have access to all apiary premises

SEC. 6. After inspecting infected hives or fixtures, or handling diseased bees, the inspector or his deputy, and their assistant or assistants, shall, before leaving said premises or proceeding to any other apiary, thoroughly disinfect any portion of his own person and clothing, and any tools or appliances used by him which have come in contact with infected material, and shall see that any other assistant or assistants with him have likewise disinfected their person and clothing and all tools and appliances used by them.

Precautions must be taken

SEC. 7. It shall be the duty of any person in the State of Nevada engaged in the rearing of queen bees for sale, when honey is used in the making of candy for use in mailcages, to boil such honey for at least thirty minutes. Any person engaged in the rearing of queen bees shall have his queen-rearing apiary or apiaries inspected at least twice during each summer season, and on the discovery of any disease which is infectious or contagious in its nature and injurious to bees in their egg, larval, pupal, or adult stages, said person shall at once cease to ship queen bees from such diseased apiary until the inspector of apiaries shall declare the said apiary free from all disease, by the issuance of a certificate of inspection. On the complaint of the inspector of apiaries or any beekeeper in the state that said beekeeper

Inspection of queen-rearing apiaries

engaged in the rearing of queen bees is violating the provisions of this section, he shall, on conviction, be liable to a fine of not less than one hundred dollars nor more than two hundred dollars.

Importers
must show
certificate

SEC. 8. Any party, parties, person, or persons bringing bees or combs, or previously used apiary supplies into the State of Nevada, must possess a valid certificate of inspection showing that such property has been inspected by an authorized inspector of the state or territory from which the shipment was made and that the same is free from communicable bee diseases. It shall be the duty of any person or persons so shipping or bringing bees into this state, or any combs, or apiary appliances, previously used, to notify the state inspector or his deputy within forty-eight hours before their arrival at the point where the same are to be unloaded, and the place of such unloading, for the purpose of allowing and permitting the inspection thereof by the said inspector or his deputy.

Movable
frame hives
only

SEC. 9. It shall be unlawful for any person or persons to have in his or their possession any bees kept in other than movable frame hives.

Beekeepers
must report
to inspector

SEC. 10. Any person or persons within this state owning, or having in their possession as owner, lessee, or otherwise, one or more colonies of bees, shall report the number of colonies so in his possession on or before the first day of April of each year to the state inspector of apiaries, together with a description of the place or locality where the same are kept and located. Any person violating the provisions of this section by failure or neglect to make such report shall, on conviction, be liable to a fine of not less than five dollars nor more than twenty-five dollars.

Penalty for
neglect

General
penalty

SEC. 11. Any person or persons violating any of the provisions of this act, for the violation of which no specific punishment is hereinbefore expressly provided, shall, upon conviction, be liable to a fine of not less than five dollars nor more than fifty dollars.

District
attorney
to act

SEC. 12. It shall be the duty of each district attorney to whom the state inspector of apiaries, or his deputy, shall present satisfactory evidence of violation of any provision or provisions of this act from sections 7 to 11, inclusive, to institute and prosecute without delay the appropriate proceedings in the proper courts for the enforcement of the provisions of said sections.

Appropriation,
\$1,500
per year

SEC. 13. There is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, a sum not exceeding \$1,500 each year, for the suppression of bee diseases in the State of Nevada, and for the carrying out of the provisions of this act. The state inspector of apiaries shall receive a salary of \$800 per annum, payable in twelve equal monthly payments, together with his actual and necessary traveling expenses. Deputies appointed by the state

Inspector's
salary, \$800

inspector of apiaries shall receive compensation not to exceed \$4 per day, together with their necessary and actual traveling expenses. Deputies, \$4 per day

SEC. 14. The state inspector of apiaries shall keep an accurate account of moneys received and expended and shall file a detailed annual report of the work done and expenditures made, with the governor of the State of Nevada. In addition said annual report shall cover the essential phases of beekeeping conditions in the State of Nevada. Inspector to report yearly to governor

SEC. 15. An act to prevent the dissemination of disease among apiaries; to provide for the appointment of an inspector, and to define his duties and compensation, and repealing all other acts and parts of acts in relation thereto, approved March 27, 1913; and all other acts and parts of acts in conflict with the provisions of this act are hereby repealed. Repeal of previous acts

SEC. 16. This act shall take effect and be in force from and after its passage and approval. In effect

CHAP. 110—*An Act fixing and regulating the salary and fees of the justice of the peace of Salt Marsh township, Washoe County, Nevada, and providing for the payment of the same.*

[Approved March 15, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the approval of this act the justice of the peace of Salt Marsh township, Washoe County, Nevada, shall be allowed a salary and fees as follows: Twelve hundred dollars per annum, payable in twelve monthly installments of one hundred dollars each. Salary of justice of the peace of Salt Marsh township

SEC. 2. In addition to the salary specified in the preceding section, the said officer shall be entitled to collect and retain the fees, in civil cases only, as are now provided by law. Civil fees retained

SEC. 3. The board of county commissioners of Washoe County, Nevada, shall allow the salary named in section 1 of this act, as other salaries are allowed, and the county auditor shall draw his warrants for the same, and the county treasurer shall pay the same. Commissioners to allow salary

CHAP. 111—*An Act for the relief of H. W. Johns-Manville Company.*

[Approved March 15, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby appropriated, out of any moneys in the general fund of the state treasury not otherwise appropriated, the sum of sixteen hundred (\$1,600) dollars to be paid the H. W. Johns-Manville Company on Relief of Johns-Manville Co. Appropriation, \$1,600

completion of its contract for correction of the acoustical defects in the senate and assembly chambers of the state capitol building to the satisfaction of the state board of capitol commissioners.

Controller
to draw
warrant

SEC. 2. Upon being so completed the state controller is directed to draw his warrant for said sum in favor of the said H. W. Johns-Manville Company, and the state treasurer is directed to pay the same. _____

CHAP. 112—*An Act appropriating the sum of fifty dollars out of the legislative fund of the twenty-eighth session of the Nevada legislature, to be paid to James Reid, porter of the senate, and August Glanzman, porter of the assembly, for cleaning and putting in order the legislative chambers after adjournment of said twenty-eighth session.*

[Approved March 15, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

\$25 each to
porters of
senate and
assembly for
additional
duties

SECTION 1. The sum of fifty dollars is hereby appropriated out of the legislative fund of the twenty-eighth session of the Nevada legislature, of which twenty-five dollars is to be paid to James Reid, porter of the senate, and twenty-five dollars to be paid to August Glanzman, porter of the assembly, for cleaning and putting in order the legislative chambers after adjournment of said twenty-eighth session.

SEC. 2. The state controller is hereby directed to draw his warrant in favor of the persons above named for the amounts specified in this act only upon the certificate of the secretary of state that the legislative chambers have been cleaned and put in order, and the state treasurer is hereby directed to pay the same. _____

CHAP. 113—*An Act segregating certain county offices in the county of Churchill, and fixing the salaries of and imposing certain duties on certain officers in said county.*

[Approved March 15, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Churchill
County
sheriff and
assessor
segregated

SECTION 1. The offices of sheriff and assessor of Churchill County are hereby segregated and made and constituted separate offices.

Sheriff's
salary, \$2,000

SEC. 2. The sheriff shall receive the sum of two thousand (\$2,000) dollars per annum and his actual traveling expenses in all civil and criminal cases, which shall be in full compensation for all services rendered by him. The fees, commissions and percentages authorized by law and earned by his office shall be paid to the county treasurer monthly on or before the fifth day of each and every month, and he shall, at the same

time, file with the county treasurer an itemized statement under oath of all such fees, commissions and percentages earned during the month next preceding, and also file a duplicate copy thereof with the clerk of the board of county commissioners; *provided*, that he shall be entitled to retain 20 per cent as his commission on all money collected by him for sheep licenses. Retains 20% of sheep licenses

SEC. 3. The assessor shall receive the sum of two thousand (\$2,000) dollars per annum, which shall be in full compensation for all services rendered by him. Assessor's salary \$2,000

SEC. 4. The above-named officers shall be entitled to appoint such deputies and assistants as may be authorized by the board of county commissioners of said county for such time and at such salary as the said board may specify. Deputies authorized

SEC. 5. The salaries herein provided shall be payable in twelve equal installments and the county auditor shall on the first day of each and every month draw his warrant in favor of the officers named herein for the salary due said officer for the month next preceding, and the county treasurer shall pay the same as the salaries of other county officers are paid. Salaries payable monthly

SEC. 6. This act shall take effect January 1, 1919. In effect Jan. 1, 1919

CHAP. 114—*An Act to amend "An act to segregate certain county offices in White Pine County, State of Nevada, and fixing the salaries, to take effect on the first Monday in January, 1909," approved March 29, 1907.*

[Approved March 15, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Sections two, three, four and six of "An act to segregate certain county offices in White Pine County, State of Nevada, and fixing the salaries, to take effect the first Monday in January, 1909," approved March 29, 1907, the same being chapter CCIII of the laws of 1907, are hereby amended so as to read as follows: Amending certain sections

Section 2. The sheriff shall receive an annual salary of twenty-five hundred dollars, his actual traveling expenses in summoning jurors and subpoenaing witnesses, and commission on all moneys collected on sheep license. He shall have authority to appoint a deputy or deputies, also a jailer who shall act as janitor and night watchman of the courthouse. The sheriff shall collect all fees authorized by law and pay into the county treasury each month all moneys collected by him. Salary of sheriff of White Pine County, \$2,500

Section 3. The county recorder and ex officio county auditor shall receive an annual salary of twenty-five hundred dollars. All fees authorized by law shall be collected by him and paid to the county treasurer on the first Monday of each and every month. He is authorized to appoint deputies, the Recorder's salary, \$2,500
Deputies authorized

salaries of such deputies to be fixed by the board of county commissioners. The appointment of such deputies shall only be made with the approval of the board of county commissioners, for such time as said board may deem necessary.

Clerk's
salary, \$2,500

Section 4. The county clerk and ex officio clerk of the board of county commissioners shall receive an annual salary of twenty-five hundred dollars in twelve equal monthly payments. All fees as authorized by law shall be collected by him and paid to the county treasurer on the first Monday of each and every month.

Assessor's
salary, \$2,500

Section 6. The county assessor shall receive an annual salary of twenty-five hundred dollars in twelve equal monthly payments.

In effect
April 1, 1917

SEC. 2. This act shall take effect from and after the first day of the calendar month next succeeding its approval.

CHAP. 115—*An Act to make the sheriff of White Pine County ex officio constable of Ely township number one, and defining his compensation as such ex officio constable, and repealing all acts and parts of acts in conflict herewith.*

[Approved March 15, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

White Pine
County
sheriff ex
officio
constable
of Ely
township
after Jan.
6, 1919
Repeal

SECTION 1. The sheriff of White Pine County shall be ex officio constable of Ely township number one.

SEC. 2. He shall serve as such ex officio constable without compensation for his services as ex officio constable.

SEC. 3. This act shall take effect and be in force from and after the first Monday in January, 1919.

SEC. 4. All acts and parts of acts in conflict herewith are hereby repealed.

CHAP. 116—*An Act fixing and regulating the compensation of the constable of Ely township No. 1, White Pine County, Nevada, and repealing all acts and parts of acts in conflict therewith.*

[Approved March 15, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Salary of
constable of
Ely township

All fees to
county
treasury

SECTION 1. From and after the first day of March, 1917, the constable of Ely township No. 1, White Pine County, Nevada, shall receive as compensation in full for all services performed by him as constable for Ely township No. 1, one hundred (\$100) dollars per month. Any and all fees received or derived from any source whatsoever by him as constable shall be paid into the county treasury of White Pine County, Nevada, on the first Monday of each and every month.

Repeal

SEC. 2. All acts and parts of acts in conflict with this act are hereby repealed.

CHAP. 117.—*An Act fixing and regulating the compensation of the district attorney and ex officio public administrator in and for White Pine County, Nevada, and providing for the payment of his necessary traveling expenses and providing for help in his office, and repealing all acts and parts of acts in conflict with this act.*

[Approved March 15, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The district attorney and ex officio public administrator in and for White Pine County, Nevada, shall receive an annual salary of twenty-five hundred (\$2,500) dollars, which shall be compensation in full for all his services as district attorney, which salary shall be paid in twelve equal monthly installments; *provided, however*, that he shall also be entitled to all fees prescribed by law with reference to the office of public administrator. He shall also be allowed his actual traveling expenses, consisting of the cost of transportation and living expenses while absent from the county-seat, when such expenses are incurred in the performance of his duties as district attorney. He shall submit to the county commissioners an itemized statement of all traveling expenses, which must be approved by the county commissioners before payment. He shall have the assistance of a deputy or stenographer, to be named by him with the approval of the county commissioners, when, in the judgment of the board of county commissioners, such assistance is necessary, and at such compensation and for such time as said board may prescribe.

Fixing salary of district attorney and ex officio public administrator of White Pine County

Deputy, when

SEC. 2. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

Repeal

SEC. 3. This act shall take effect and be in force from and after its passage and approval.

Immediate effect

CHAP. 118.—*An Act for the relief of Anna M. Warren.*

[Approved March 15, 1917]

WHEREAS, In the month of August, 1915, Mrs. Anna M. Warren was employed by Charles Bootes of the state racing commission to act as stenographic reporter of a meeting of said commission and she attended said meeting and transcribed her notes of the proceedings had and rendered her bill for twenty-four and ⁸⁰/₁₀₀ (\$24.80) dollars, and the same was neglected and has never been paid; and

Relief of Anna M. Warren

WHEREAS, Said claim was duly presented to the state board of examiners and has been approved as a claim against the State of Nevada;

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of twenty-four and ⁸⁰/₁₀₀ (\$24.80) dol-

Appropriation, \$24.80

lars is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, in payment of the claim of Anna M. Warren of a like amount, and the controller is hereby directed to draw his warrant in favor of Anna M. Warren for said amount, and the state treasurer is hereby directed to pay the same. _____

CHAP. 119—*An Act for the relief of the railroad and public service commissions of the State of Nevada.*

[Approved March 15, 1917]

Relief of railroad and public service commissions

WHEREAS, In December, 1916, the intermountain rate cases were reopened by the interstate commerce commission calling for hearings thereon in Salt Lake City and San Francisco; and

WHEREAS, It was the duty and became necessary for the members of the railroad commission of Nevada to attend said meetings; and

WHEREAS, The railroad commission fund was at said time exhausted, and before incurring the expense of attending said hearings said railroad commission applied to and obtained from the state board of examiners of the State of Nevada permission to incur the necessary expenditure involved in attending said hearings, the expenses whereof were five hundred and thirteen dollars and eighty-nine cents; and

WHEREAS, That expense was incurred by said railroad commission in pursuance of its duty and in the furthering of the interest of the people of the State of Nevada; and

WHEREAS, During the month of December, 1916, the public service commission of the State of Nevada was compelled to contract indebtedness for supplies, telegraph service, and witness fees in the sum of seventy-six dollars, and before contracting such indebtedness it applied to and received permission from the state board of examiners so to do; and

WHEREAS, The expenditures thereunder were just and legal claims against the State of Nevada; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation, \$513.89

SECTION 1. The sum of \$513.89 is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, to be placed in the said railroad commission fund for payment of the claims so incurred as aforesaid. The state controller is hereby directed to draw his warrant in favor of said railroad commission fund, and after endorsement thereof to place the same to the credit of the said railroad commission fund.

Appropriation, \$76

SEC. 2. The sum of \$76 is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, to be placed in said public service commission fund for payment of the claims so incurred as aforesaid. The state controller

is hereby directed to draw his warrant in favor of said public service commission fund for \$76, and after endorsement thereof to place the same to the credit of said public service commission fund.

CHAP. 120—*An Act to authorize the board of county commissioners of Mineral County, State of Nevada, to issue bonds for the purpose of repairing and furnishing a schoolhouse in Hawthorne school district No. 7, and matters properly relating thereto.* [Approved March 15, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The board of county commissioners of Mineral County is hereby authorized, empowered, and directed to prepare and issue bonds of said county, such bonds to be issued on or before the first day of June, 1917, for an amount not exceeding the sum of two thousand five hundred (\$2,500) dollars, exclusive of interest, for the purpose of providing funds for making needed repairs to the schoolhouse in the town of Hawthorne of said county, and for equipping and furnishing said building.

Bonds for Hawthorne school district No. 7

SEC. 2. The board of county commissioners of said Mineral County shall cause said bonds to be prepared and made ready for issuance. Said bonds shall be signed by the chairman of the board, countersigned by the county treasurer, and authenticated by the seal of the county; coupons for interest shall be attached to each bond, so that the same may be removed without injury to the bond, and each of said coupons shall be consecutively numbered, and signed by the chairman of said board and the county treasurer.

County commissioners to issue said bonds

SEC. 3. The clerk of the board of county commissioners shall keep a record of all proceedings under the provisions of this act, showing the number and date of each bond and to whom issued.

Clerk to keep record

SEC. 4. The board of county commissioners of Mineral County is hereby authorized to negotiate the sale of said bonds, by advertising for sealed proposals or by private sales, as they may deem for the best interests of the county, and may reject any and all bids; *provided*, that no bonds shall be sold for less than par value; *and provided further*, that all bonds shall be made for gold coin of the United States, and the interest thereon shall be payable in like gold coin.

Negotiation of bonds

SEC. 5. Said bonds shall be numbered consecutively from one to ten, and shall be redeemable at the rate of two each year, and the interest on the same shall not exceed five per cent per annum, payable semiannually on the first day of July and January of each year, at the office of the county treasurer of the said Mineral County. Said bonds shall be each for the sum of two hundred and fifty (\$250) dollars.

Interest limited to 5% per annum

Bonds, \$250 each

Hawthorne
school
district fund
created

SEC. 6. All moneys derived from the sale of said bonds shall be paid to the county treasurer of said county, and the said treasurer is hereby required to receive and safely keep the same in a fund hereby created and known as "Hawthorne School District No. 7 Fund," and to pay out said moneys only in the manner now provided by law and for the purpose for which the same were received.

School
trustees
to repair
and equip
Hawthorne
school

SEC. 7. The board of trustees of Hawthorne school district No. 7 is hereby authorized and directed to use said moneys arising from the sale of said bonds, or such number thereof as they may deem necessary, for the repair, equipment, and furnishing of a school building in the Hawthorne school district No. 7, and any balance remaining in said fund, after the completion, equipment, and furnishing of said building, shall be turned over and converted into the proper fund provided for running and maintaining said school, in accordance with and pursuant to the provisions of law pertaining to the establishment of schools in the various counties of this state.

Bids to be
advertised
for

SEC. 8. Said board of trustees of Hawthorne school district No. 7 shall determine as to the character of said repairs, the materials to be used therefor, and the plans therefor, and when such determination is made said board shall advertise for bids for the making thereof by contract to the lowest and most responsible bidder. The laws in force governing contracts by boards of county commissioners are hereby made applicable to, and the same shall govern, the action of the board of trustees of Hawthorne school district No. 7 in carrying out the provisions of this act. All demands and bills contracted by said board of trustees of Hawthorne school district No. 7 shall be paid in the manner now provided by law; *provided*, that no such bills shall be allowed until the plans for said repairs to said school building shall have been approved by the state superintendent of public instruction.

Proviso

Trustees to
act with
dispatch

SEC. 9. As soon as possible after the passage and approval of this act, or after this act shall become a law, the board of trustees of said Hawthorne school district No. 7 shall thereafter, with all expedient dispatch, proceed to the execution of the purposes of this act.

County
treasurer
liable for
bond moneys

SEC. 10. The county treasurer of said Mineral County shall be liable on his official bond for the safe keeping of the moneys which shall come to his hands under the provisions of this act, and for faithful discharge of all his duties in relation thereto.

Special tax
authorized

SEC. 11. For the purpose of creating a fund for the payment of the bonds authorized by this act and the interest thereon, the board of county commissioners of said Mineral County is authorized and required to levy, at the time the said board of county commissioners make the annual levy for taxes for all purposes, and collect annually a special tax upon the

assessment valuation of all property, both real and personal, subject to taxation, including the proceeds of mines, within the boundaries of said Hawthorne school district No. 7, until said bonds and the interest thereon shall have been fully paid, sufficient to pay the interest on said bonds and retire, beginning with bond number one and consecutively thereafter, two of said bonds annually, beginning on the first day of January, 1918, until all of said bonds have been redeemed and retired. Such tax shall be levied and collected in the same manner and at the same time as other taxes are assessed and collected, and the proceeds thereof shall be kept by the county treasurer in a special fund to be known as the "Hawthorne School District No. 7 Bond Sinking Fund"; *provided, however*, that if the amount of the tax levied upon the property within said Hawthorne school district No. 7 shall at any time be insufficient to pay the interest on said bonds and provide for the retirement as provided in this section, the board of county commissioners of said Mineral County are hereby required to levy and collect annually a special tax on the assessment valuation of all property, real and personal, subject to taxation, including the proceeds of mines, within the boundaries of said Mineral County, and continue such levy from year to year to meet any deficit which may occur in said Hawthorne school district No. 7 bond sinking fund, and the faith and credit of Mineral County is hereby pledged to the prompt and ready payment of said bonds and the interest thereon according to the terms, conditions, and tenor thereof.

To retire
two bonds
annually

Deficit, how
met

Faith of
county
pledged

SEC. 12. It shall be obligatory on the said county and on its proper officers to pay in full the accrued interest on said bonds, beginning on the first day of January, 1918, and thereafter on the first day of July and January in each and every year, until all of said bonds shall have been redeemed and retired.

Interest
paid semi-
annually

SEC. 13. Whenever the bonds and interest provided for in this act shall have been fully paid, the tax authorized by this act shall cease, and all moneys remaining in said bond sinking fund shall, by order of the board of county commissioners of said county, be transferred to the fund used for paying the contingent expenses of said Hawthorne school district No. 7.

Tax ceases,
when

SEC. 14. Whenever the county treasurer shall redeem any of the bonds issued under the provisions of this act he shall cancel the same by writing across the face thereof "Paid," together with the date of such payment, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners, and the auditor shall credit the treasurer on his books for the amount so paid.

Treasurer to
cancel paid
bonds

Establishing
county com-
missioner
districts in
Lincoln
County

townships one, two, three, four, five, six, seven, eight and nine north, Mt. Diablo base and meridian, and extending northward from the intersection of the Mt. Diablo base line with said county to the northern boundary of the county, shall be known as commissioner district No. 1, and shall be represented by one member of the board of county commissioners.

2. All that portion of Lincoln County embraced within townships one, two, three and four south, Mt. Diablo base and meridian, and bounded on the north by the Mt. Diablo base line and on the south by the first standard parallel south, shall be known as commissioner district No. 2, and shall be represented by one member of the board of county commissioners.

3. All that portion of Lincoln County situate in townships five, six, seven, eight, nine, ten, eleven and twelve south, Mt. Diablo base and meridian, and bounded on the north by the first standard parallel south, and on the south by the Lincoln County line, shall be known as commissioner district No. 3, and shall be represented by one member of the board of county commissioners.

One commis-
sioner for
each
district—
long-term,
when

SEC. 2. At every election hereafter, at which county commissioners are to be elected, one member of the board of county commissioners shall be elected from each one of said districts in which a vacancy may exist, or may impend because of the expiration of the term of office of the incumbent member from that district; *provided*, commencing with the district No. 2 at the general elections of 1918 each of said districts shall in turn be entitled to elect the long-term commissioner in the order in which they are numbered.

In effect

SEC. 3. This act shall become operative from and after its passage and approval.

Repeal

SEC. 4. All acts and parts of acts in conflict herewith are hereby repealed.

CHAP. 125—*An Act for the relief of certain persons.*

[Approved March 15, 1917]

Clark County
experiment
farm deficit

WHEREAS, The following-named persons rendered their claims in the respective amounts hereinafter set forth for salaries, labor, etc., at the Clark County experiment farm for the month of January, 1917, after the appropriation therefor had reverted, to wit:

E. H. Syphus, salary, \$10; Henry Rice, salary, \$10; John H. Tobler, salary, \$100; Walter Stevens, labor, \$60; Le Roy Tobler, labor, \$15.50; Wm. Calkins, labor, \$38.25; Clinton Everett, labor, \$41.62; A. L. Egbert, labor, \$12.50; Fancher Creek Nurseries, trees, \$98.75; Las Vegas Age, printing, \$9; Albert Frehmer, work on flood channel, \$100; Albert Frehmer, alfalfa seed, \$9; Harry Gentry, gasoline, \$22.40; Eugene Parker, labor on flood channel, \$26.25; Samuel H. Wells, cedar posts, \$22.54; \$576.

WHEREAS, All of said claims have been duly examined, allowed and approved by the board of examiners of the State of Nevada and are just and legal claims against the State of Nevada; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of five hundred and seventy-six (\$576) dollars is hereby appropriated, out of any moneys in the general fund of the state treasury not otherwise appropriated, to pay the above-mentioned claims. Appropriation, \$576

The state controller is hereby directed to draw his warrants in favor of the persons mentioned herein for their respective amounts above set forth and the state treasurer is hereby directed to pay the same.

CHAP. 126—*An Act fixing and regulating the compensation of the district attorney in and for Clark County, Nevada, and repealing all acts and parts of acts in conflict therewith.*

[Approved March 15, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the taking effect of this act the district attorney in and for Clark County, Nevada, shall receive a salary of one hundred and fifty dollars per month, which shall be full compensation for all services rendered. He shall have such deputies as in the judgment of the board of county commissioners shall be deemed necessary, and at such compensation and for such time as they may provide. He shall be allowed all his actual traveling expenses, to consist of actual cost of his transportation and living expenses while absent from the county-seat in the performance of his official duties. Fixing salary of district attorney of Clark County

SEC. 2. All acts and parts of acts in conflict with the provisions of this act are hereby repealed. Repeal

CHAP. 127—*An Act authorizing the issuance and sale of bonds of the town of Lovelock for the construction, maintenance and completion of a water system for said town and other matters relating thereto.*

[Approved March 15, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The board of county commissioners of Humboldt County, acting as a town board for the town of Lovelock, Humboldt County, Nevada, is hereby authorized to Bonds authorized for water system in Lovelock

issue negotiable coupon bonds of said town of Lovelock for an amount not to exceed thirty-five thousand (\$35,000) dollars.

Humboldt
County
commission-
ers, as town
board of
Lovelock, to
issue bonds

SEC. 2. The board of county commissioners of Humboldt County, acting as a town board of said town of Lovelock, shall cause said bonds to be prepared and issued. Such bonds shall be signed by the chairman of the board and by the county clerk of Humboldt County as clerk of said board, and be countersigned by the county treasurer of Humboldt County. Coupons of interest shall be attached to each bond so that the same may be removed without injury to the bonds. Said coupons shall be consecutively numbered, signed by the chairman of the board and by the clerk and county treasurer of said county, or their facsimile signatures lithographed thereon.

Clerk and
treasurer
to keep
record of
bonds

SEC. 3. The clerk of said board of county commissioners, acting as said town board, shall keep an accurate and full record of all proceedings under the provisions of this act, and shall keep a record showing the number, amount, and date of each bond, and to whom sold. The county treasurer of Humboldt County shall in like manner and form keep a record of such bonds.

Said town
board to
negotiate
said bonds

SEC. 4. The board of county commissioners of said Humboldt County, acting as a town board for said town of Lovelock, is authorized and directed to negotiate the sale of said bonds, or so much thereof as may be necessary for the purpose of carrying out the provisions of this act, and particularly for the purpose of constructing, completing, and maintaining the water system of the town of Lovelock, including the laying of mains, laterals and branches of said water system and of paying the present indebtedness of said system; said bonds shall be sold at public sale, after notice for sealed proposals for the purchase of said bonds has been advertised for not less than three publications weekly in a newspaper of general circulation in the county of Humboldt. Said board may reject any and all bids and no bonds shall be sold for less than par.

Bonds,
\$500 each

Interest
limited

Life of bonds

SEC. 5. Said bonds shall be known as the town of Lovelock water system bonds and shall be in denomination of five hundred (\$500) dollars each. They shall be consecutively numbered, commencing with number one, and shall bear interest at the rate of not to exceed six per cent per annum. Said interest shall be payable semiannually on the first day of July and January of each year. Said bonds shall run for a period of not to exceed twenty years, and two of said bonds shall be redeemed annually, commencing on the first day of July, 1918, until all of said bonds shall have been redeemed and retired. Said redemption and cancelation of bonds shall be in order of their issuance and number.

Fund created

SEC. 6. All moneys derived from the sale of said bonds shall be paid to the county treasurer of said Humboldt County, who shall receive and safely keep the same in a

fund to be known as the Lovelock water system bond fund, and moneys shall be paid out of said fund to pay off the outstanding indebtedness of said town of Lovelock in the erection, completion, and maintenance of said Lovelock water system of the town of Lovelock, and for the other purposes provided for in this act. Only so much of said fund may be used for maintenance as shall be necessary until such water system of the town of Lovelock shall be in a position to maintain such water system out of its current revenues.

SEC. 7. The county treasurer of said Humboldt County shall be liable upon his official bond for the safe keeping of all moneys that shall come into his hands under the provisions of this act, and for the faithful discharge of all of his duties in relation thereto.

County
treasurer
liable

SEC. 8. For the purpose of creating a fund for the payment of the bonds under this act and the interest thereon, the board of county commissioners of Humboldt County is hereby authorized and directed to levy and collect annually, until all said bonds and interest thereon shall have been fully paid, a special tax on all property, real and personal, including the net proceeds of mines, subject to taxation within the boundaries of said town of Lovelock, sufficient to pay the interest on said bonds and to pay and redeem two of said bonds annually as heretofore provided herein, and to continue until all of said bonds have been fully paid and redeemed. Such tax shall be levied and collected in the same manner and at the same time as other taxes are assessed, levied and collected and the proceeds thereof shall be kept in a special fund to be known as the Lovelock water system bond interest and redemption fund.

Fund for
payment and
redemption
of bonds

Special tax

SEC. 9. It shall be the duty of the county treasurer to use the money in the said fund to pay the interest on said bonds, and to redeem said bonds as they severally become due. Whenever any bonds or interest coupons shall be redeemed or paid, the county treasurer shall cancel the same by writing across the face thereof "Paid," together with the date of payment, and sign his name thereto, and deliver the same to the auditor of Humboldt County, taking his receipt therefor, and said auditor shall credit the treasurer on his books for the amount so paid.

Treasurer to
cancel
redeemed
bonds

SEC. 10. Whenever the bonds and interest provided for by this act shall have been fully paid, the tax authorized hereby shall cease; and all moneys remaining in said fund shall be by order of the board of county commissioners transferred to the general fund of the town of Lovelock to be used for payment of legal claims against said fund.

Tax ceases,
when

SEC. 11. Should any holder of any bond or bonds fail to present said bonds to the county treasurer of Humboldt County for payment as the same become due, all interest on such bonds shall thereafter immediately cease.

Interest
ceases, when

SEC. 12. The principal and interest on all bonds issued

Payable at
treasurer's
office

under this act shall be payable at the office of the county treasurer of Humboldt County at Winnemucca, Nevada.

Faith of
state pledged

SEC. 13. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor the taxation thereby imposed be omitted, until all the bonds and coupons issued under and by virtue hereof shall have been paid in full, as in this act specified.

CHAP. 128—*An Act authorizing the coroner of Reno township, Washoe County, Nevada, to employ a stenographer to report and transcribe testimony at inquests.*

[Approved March 15, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Coroner
of Washoe
County to
have sten-
ographer for
inquests

SECTION 1. The justice of the peace and ex officio coroner of Reno township, Washoe County, Nevada, is hereby authorized, when requested by the district attorney of said county, to employ a competent stenographer to report and transcribe all testimony given and proceedings had at coroner's inquests held within his jurisdiction, the said services of such stenographer to be paid for at the rate of twenty cents per folio, and the same to be paid out of the general fund of Washoe County, in the same manner as other claims are allowed and paid by law.

CHAP. 129—*An Act regulating the salary of the chief of police and other peace officers of the town of Goldfield, Esmeralda County, Nevada, and other matters relating thereto.*

[Approved March 15, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Town board
of Goldfield
to fix salaries
of chief of
police and
peace officers

SECTION 1. The board of county commissioners of Esmeralda County, State of Nevada, acting as a town board for the town of Goldfield, shall have the authority to fix the salary of the chief of police and such other peace officers as may be appointed for said town of Goldfield. The chief of police of the town of Goldfield or such other peace officers as may be appointed by the board of county commissioners, acting as a town board for said town of Goldfield, shall receive a salary to be fixed by the board of county commissioners, acting as such town board for the town of Goldfield, not to exceed the sum of one hundred and fifty dollars per month.

Repeal

SEC. 2. All acts and parts of acts in conflict with this act are hereby repealed.

CHAP. 130—*An Act making appropriations for the support of the civil government of the State of Nevada for the years 1917-1918.* [Approved March 19, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The following sums are hereby appropriated for the purpose hereinafter expressed, and for the support of the government of the State of Nevada for the years 1917-1918:

General
appropriations for
1917-1918

SEC. 2. Governor's Office.	From General fund	From State School fund	From General School fund	
For salary of governor-----	\$14,000.00			Governor's office
For salary of governor's private secretary-----	4,800.00			
For salary of clerk in governor's office-----	2,400.00			
For extra clerical help during legislature-----	300.00			
For repairs, furnishings and improvements for governor's mansion-----	1,500.00			
For actual traveling expenses of governor-----	1,200.00			
For payment of annual dues to governors' conference-----	300.00			
For maintenance of mansion---	2,000.00			

SEC. 3. Lieutenant-Governor and Adjutant-General's Office.

For salary of lieutenant-governor and adjutant-general-----	\$7,200.00			Lieutenant- governor's office
For care, transfer, transporta- tion and insurance of military property while in the keeping of the State of Nevada, for clerical and stenographic as- sistance when necessary, for traveling expenses of the adju- tant-general or official detailed by him, for contingent ex- penses of adjutant-general's office, for repairing roof of state armory, and for silk flag-	1,000.00			

SEC. 4. Secretary of State's Office.

For salary of secretary of state-	\$7,200.00			Secretary of state's office
For salary of deputy secretary of state-----	4,800.00			
For salary of clerk in office of secretary of state-----	4,000.00			
For salary of typist in office of secretary of state-----	2,400.00			

		From General fund	From State School fund	From General School fund
	For salary of typist and stenographer in office of secretary of state -----	\$2,400.00		
	SEC. 5. <i>Attorney-General and Mineral Land Commissioner's Office.</i>			
Attorney-general's office	For salary of attorney-general...	\$7,200.00		
	For salary of mineral land commissioner -----	2,800.00		
	For salary of deputy attorney-general -----	4,800.00		
	For salary of stenographer in office of attorney-general....	2,400.00		
	For additional clerk and stenographic assistance January 1 to April 1, 1917 -----	450.00		
	For contingent expenses of the attorney-general -----	1,000.00		
	For actual traveling expenses of attorney-general -----	1,200.00		
	SEC. 6. <i>State Controller's Office.</i>			
State controller's office	For salary of state controller...	\$7,200.00		
	For salary of deputy state controller -----	4,800.00		
	For salary of typist in office of state controller -----	2,400.00		
	For new records in office of state controller -----	300.00		
	For enforcement and collection of state revenue and protection of state funds... -----	1,000.00		
	SEC. 7. <i>State Treasurer's Office.</i>			
State treasurer's office	For salary of state treasurer...	\$7,200.00		
	For salary of deputy state treasurer -----	4,800.00		
	For salary of clerk in office of state treasurer -----	2,400.00		
	SEC. 8. <i>Surveyor-General's Office.</i>			
Surveyor-general's office	For salary of the surveyor-general -----	\$7,200.00		
	For salary of deputy surveyor-general -----	4,800.00		
	For salary of draughtsman in office of surveyor-general.....	4,000.00		
	For salary of typist in the surveyor-general's office -----	2,400.00		
	For salary of clerks in the office of the surveyor-general and for transcribing records -----	4,000.00		

	From General fund	From State School fund	From General School fund
For purchase of township plats for office of surveyor-general		\$200.00	
<i>Sec. 9. Inspector of Mines's Office.</i>			
For salary of inspector of mines	\$7,200.00		Inspector of mines
For salary of deputy inspectors of mines	9,600.00		
For actual traveling and office expenses of inspector of mines	9,000.00		
For emergency fund for safety and rescue apparatus	500.00		
<i>Sec. 10. Superintendent of State Printing.</i>			
For salary of superintendent of state printing	\$7,200.00		Superintend- ent of state printing
For salary of bookkeeper in state printing office	2,400.00		
For support of state printing office, to be expended under direction of state printer	36,000.00		
For bookbinding, to be expended under direction of state printer	6,000.00		
For new material and repairs of state printing office	1,500.00		
For heating plant	2,000.00		
<i>Sec. 11. Superintendent of Public Instruction.</i>			
For salary of superintendent of public instruction		\$7,200.00	Superintend- ent of public instruction
For salary of typist in office of superintendent of public in- struction		2,400.00	
For actual traveling expenses of superintendent of public in- struction		1,500.00	
For expenses of conducting teach- ers' examinations, grading the papers, and payment of indi- vidual expenses		1,250.00	
For expenses of teachers' insti- tute		1,250.00	
For text-book commission		500.00	
For tuition, support, care, and education of deaf, blind, and feeble-minded		8,000.00	
For salary of general deputy sup- erintendent of public instruc- tion		4,800.00	
For actual traveling expenses of general deputy superintend- ent of public instruction		3,000.00	

		From General fund	From State School fund	From General School fund
	SEC. 12. <i>University of Nevada.</i>			
University of Nevada	For stock farm operation.....	\$6,500.00		
	For support of public service department of the University of Nevada, including state analytical laboratory, state hygienic laboratory, food and drugs control and weights and measures, state veterinary con- trol, Smith-Lever extension, and agricultural experiment station	47,300.00		
	For installation of curbing and gutter on east side of Virginia street between Ninth and Tenth streets, for 360 linear feet (to be paid from general appropriation bond fund).....	288.00		
	For deficit University of Nevada (to be paid from general ap- propriation bond fund)	30,000.00		
	SEC. 13. <i>Tonopah School of Mines.</i>			
Tonopah school of mines	For salary of teacher of Tonopah school of mines	\$4,500.00		
	For support of Tonopah school of mines	3,000.00		
	SEC. 13½. <i>Ely School of Mines.</i>			
Ely school of mines	For salary of teacher of Ely school of mines	\$4,500.00		
	For support of Ely school of mines	3,000.00		
	SEC. 14. <i>Virginia School of Mines.</i>			
Virginia school of mines	For salary of teacher of Virginia school of mines	\$4,000.00		
	For support of Virginia school of mines	1,200.00		
	SEC. 14½. <i>Goldfield School of Mines.</i>			
Goldfield school of mines	For salary of teacher of Goldfield school of mines	\$4,800.00		
	For support of Goldfield school of mines	3,000.00		
	SEC. 15. <i>Bank Examiner and Banking Board.</i>			
Bank examiner	For salary of bank examiner....	\$8,000.00		
	For actual traveling and office expense of bank examiner and banking board	3,000.00		

	From General fund	From State School fund	From General School fund
For salary of clerk of state bank examiner and clerk of adjutant- general	\$2,400.00		
SEC. 16. Railroad Commission.			
For the salary of the railroad commissioners	\$23,000.00		Railroad commission
For salary of secretary of the railroad commission	4,800.00		
For general expenses of the rail- road commission	10,000.00		
For support of national associa- tion of railway commissioners valuation committee for the years 1917-1918 the sum of..	1,000.00		
SEC. 17. Public Service Commission.			
For salary of engineer of the public service commission...	\$5,000.00		Public service commission
For salary of secretary of the public service commission...	1,200.00		
For general expenses of the public service commission...	4,500.00		
SEC. 18. Fish Commission.			
For support of state fish com- mission	\$12,000.00		Fish commission
SEC. 19. Board of Health.			
For salary of secretary of state board of health	\$3,000.00		Board of health
For support of state board of health	3,500.00		
SEC. 20. Nevada State Police.			
For salary of superintendent of Nevada state police	\$7,200.00		Nevada state police
For other salaries	8,800.00		
For general expenses	1,500.00		
SEC. 21. State Engineer.			
For salary of state engineer....	\$7,200.00		State engineer
For salary of assistant state engineer	4,800.00		
For support of the department of state engineer	25,000.00		
For engineering experimentation	5,000.00		
SEC. 22. State Prison.			
For salary and subsistence of the guards called "Death Watch" and care of condemned prison- ers under sentence of death..	\$3,000.00		State prison

		From General fund	From State School fund	From General School fund
State prison	For improvements, repairs, machinery, and stock for old prison and prison farm, to be paid from general appropriation bond fund-----	\$5,000.00		
	For miscellaneous repairs at the Nevada state prison-----	2,000.00		
	For payment of convicts for labor performed according to law--	2,000.00		
	For the support of the Nevada state prison-----	127,800.00		
	SEC. 23. <i>Nevada Hospital for Mental Diseases.</i>			
Hospital for mental diseases	For salary of superintendent of the Nevada hospital for mental diseases-----	\$4,800.00		
	For construction and equipment for Nevada hospital for mental diseases-----	2,500.00		
	For relief of discharged patients from the hospital for mental diseases-----	300.00		
	For amusements for hospital for mental diseases-----	600.00		
	For books and support of library for hospital for mental diseases-----	200.00		
	For chaplains for hospital for mental diseases-----	720.00		
	For support of the hospital for mental diseases-----	100,000.00		
	SEC. 24. <i>State Orphans' Home.</i>			
State orphans' home	For salary of superintendent and matron of state orphans' home--	\$4,800.00		
	For repairs and improvements on buildings of the state orphans' home-----	3,000.00		
	For education of the children of the orphans' home in the Carson public schools-----	3,000.00		
	For salary of physician at state orphans' home-----	1,800.00		
	For books and periodicals for the orphans' home-----	100.00		
	For installation of oil-burner at state orphans' home, to be paid from the general appropriation bond fund-----	2,000.00		

	From General fund	From State School fund	From General School fund	
For swimming pool, amuse- ments, etc., at the orphans' home, to be paid from general appropriation bond fund ----	\$1,000.00			
For support of the state orphans' home-----	40,000.00			
SEC. 25. <i>Historical Society.</i>				
For the support of the histori- cal society-----	\$6,000.00			Historical society
For printing Romanzo Adams's history of taxation in Nevada, to be expended under direction of state printer-----	100.00			
SEC. 26. <i>Miscellaneous.</i>				
For salary of janitors -----	\$5,280.00			Mis- cellaneous
For salary of watchmen -----	5,280.00			
For salary of gardener -----	2,640.00			
For salary of fireman -----	3,000.00			
For stationery, fuel and light for state offices and state build- ings and grounds-----	10,000.00			
For current expenses, telegraph and contingent, for the state officers, supreme court, and state library, and for trans- portation of state property---	10,000.00			
For expenses of capitol and state printing buildings, grounds and water-works, to be paid from general appropriation bond fund -----	3,000.00			
For improvements of capitol cor- ridors, to be paid from general appropriation bond fund ----	7,500.00			
For repairs and improvements on capitol building, to be paid from general appropriation bond fund -----	6,000.00			
For payment of rewards offered by governor -----	2,000.00			
For election expenses -----	1,200.00			
For cooperative irrigation in- vestigation fund, to be ex- pended by the state engineer and the University of Nevada in conjunction with the United States Department of Agricul- ture -----	4,000.00			

	From General fund	From State School fund	From General School fund
Mis- cellaneous			
For cooperative water-resources fund, to be expended by the state engineer in conjunction with the United States Geological Survey-----	\$5,000.00		
For support of commission on uniform laws-----	300.00		
For painting portrait of ex-Governor T. L. Oddie, to be paid to Walter L. Cox-----	500.00		
For framing portrait of ex-Governor T. L. Oddie, to be paid to Porteous decorative company-----	91.50		
For agricultural and mining exhibit in Union Pacific headquarters building, Omaha, Nebraska-----	250.00		
For payment of premiums of state officers and employees to Nevada industrial insurance commission-----	3,500.00		
For payment to John G. Taylor, account double payment of tax on sheep, for year 1916, state's proportion-----	394.10		
For completion of Lee audits of books and accounts of University of Nevada performed under direction of special legislative committee, to be paid from university contingent fund-----	1,000.00		
For pump, laundry, locks, tools, sinks and dishwashers, new ceilings, and changing substation, for hospital for mental diseases-----	2,150.00		
For district judges' traveling expense-----	11,000.00		
For salary of labor commissioner; support of labor commission-----	5,000.00		
For fireproofing state library building under direction of the board of capitol commissioners after full investigation of requirements by the said board, to be paid from general appropriation bond fund-----	7,200.00		

	From General fund	From State School fund	From General School fund	
SEC. 27. Nevada School of Industry.				
For support of Nevada school of industry, being amount required exclusive of fund on hand January 1, 1917, aggregating \$23,806.67-----	\$12,500.00			School of industry
SEC. 28. Supreme Court.				
For salary of the judges of the supreme court-----	\$36,000.00			Supreme court
For salary of official reporter of the supreme court-----	3,000.00			
For salary of two stenographers in the supreme court-----	6,000.00			
For salary of bailiff of the supreme court-----	300.00			
For indexing and compiling Nevada Reports-----	600.00			
For printing and binding Nevada Reports (40, 41, and 42)-----	5,400.00			
For official advertising and publication of decisions (payable from general fund)-----	6,600.00			
SEC. 29. Clerk of the Supreme Court.				
For salary of the clerk of the supreme court-----	\$6,000.00			Clerk of supreme court
For salary of stenographer in office of clerk of the supreme court-----	1,440.00			
For salary of reporter of decisions in the office of clerk of the supreme court-----	600.00			
SEC. 30. Clark County Experiment Farm.				
For the payment of salary, labor and other expenses of Clark County experiment farm, from February 1, 1917 to March 15, 1917, to be paid from the general fund; <i>provided, however</i> , that all moneys so expended shall be repaid by Clark County to the general fund from the proceeds of the sale of said Clark County experiment farm as soon as such amount is realized from such sale.				Clark County experiment farm

CHAP. 131—*An Act supplementary to an act entitled "An act to incorporate Carson City," approved February 25, 1875; providing for the paving of a portion of Carson street in said city and authorizing and directing the board of city trustees of said Carson City to issue bonds on account of the expenc of such improvement and other matters properly connected therewith.*

[Approved March 20, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Bonds
authorized
for paving
Carson street
in Carson
City

SECTION 1. The board of city trustees of the city of Carson is hereby authorized, empowered and directed to prepare and issue bonds of said city for an amount not to exceed the sum of fifty thousand dollars, exclusive of interest, for the purpose of providing sufficient funds for the paving of Carson street in said city between Washington street and Sixth street, including the intersections of said Washington street and Sixth street with said Carson street.

Bonds,
\$500 each

SEC. 2. The bonds authorized under the provisions of section 1 of this act shall be issued in the sum of five hundred dollars each. They shall be numbered from 1 to 100, consecutively, in the order of their issuance. They shall be signed by the president of the board of city trustees, countersigned by the city treasurer and authenticated with the seal of the city. Coupons for interest shall be attached to each bond, so that the same may be removed without injury to the bonds, and each of said coupons shall be consecutively numbered and signed by the president of the board of city trustees and the city treasurer.

Clerk to
keep record

SEC. 3. The clerk of the board of city trustees shall keep a record of all proceedings under the provisions of this act, showing the number and date of each bond, and to whom issued.

Negotiation
of bonds

SEC. 4. The board of city trustees of Carson City is hereby authorized to negotiate the sale of said bonds, or such number thereof, and at such time as they may deem necessary, by advertising for sealed proposals, or by private sale or sales, as they may deem for the best interests of the city, and may reject any and all bids; *provided*, that no bonds shall be sold for less than their par value and that the bonds and interest thereon shall be made payable in gold coin of the United States; *and provided further*, that the said board shall sell the bonds to the highest bidder or bidders in the event that they elect not to sell the same at private sale or sales.

To highest
bidder

Interest, 5%
per annum

SEC. 5. Said bonds shall bear interest at five per cent per annum, and shall be payable semiannually on the first Monday in January and July at the office of the city treasurer of said Carson City; *provided*, that the first installment of interest shall be payable on the first Monday in January,

1918, and shall include the interest from the date of sale of such bonds to the first Monday of January, 1918; *and provided*, that the interest on said bonds shall cease upon the maturity thereof, as hereinafter provided. In no case shall any of said bonds run for a longer period than twenty-five years. Life of bonds limited to 25 years

SEC. 6. The payment and redemption of said bonds shall be in the order of their issuance until the whole amount of bonds issued under the provisions of the act shall have been paid and redeemed. The interest coupons shall be paid semiannually, excepting the first coupon payable, which shall provide for interest to the first Monday in January, 1918, or in the event any of such bonds are sold after the first Monday in January, 1918, until the next date for semiannual payment following the issuance of the bonds. Redemption of bonds

SEC. 7. All moneys derived from the sale of said bonds shall be paid to the city treasurer of said city, and the said treasurer is hereby required to receive and safely keep the same in a fund hereby created and designated "Carson Street Paving Fund," and to pay out said moneys in the manner now provided by law for the payment of claims against said city, and for the purpose provided for in this act. Paving fund created

SEC. 8. For the purpose of creating a fund for the payment of the bonds authorized by this act, and the interest thereon, the board of city trustees of the city of Carson is hereby authorized, empowered, and directed to levy and collect annually by a special tax on all property, both real and personal, subject to taxation within the boundary limits of said city of Carson, until such bonds and the interest thereon shall have been fully paid, sufficient, together with any other moneys or revenues applicable to such purpose, to pay the interest on said bonds and to pay and retire the same as in this act provided. Such tax shall be levied and collected in the same manner and at the same time as other city taxes are levied and collected, and the proceeds thereof shall be kept by the city treasurer in a special fund to be known as "Carson Street Paving Bond Redemption Fund." Special tax for interest and redemption of bonds

SEC. 9. On the first Monday of January, 1922, bonds numbers 1 to 5, inclusive, shall be due and payable and shall be paid on presentation for payment, and annually thereafter, on the first Monday in January, five of said bonds, in the order of their issuance, shall be payable, and shall be paid and retired upon presentation for payment, until all of said bonds have been retired and redeemed. Order of redemption

SEC. 10. Whenever the bonds and interest provided for in this act shall have been fully paid the tax authorized by this act shall cease, and all moneys remaining in said bond fund shall, by order of the board of city trustees of said city, be transferred to the general fund of said city. Tax ceases, when

SEC. 11. Whenever the city treasurer shall redeem any of the bonds issued under the provisions of this act he shall

City
treasurer to
cancel paid
bonds

cancel the same by writing across the face thereof "Paid," together with the date of such payment, sign his name thereto and turn the same over to the city auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of city trustees, and the said city auditor shall credit said city treasurer on his books for the amount so paid. In the event the total amount of bonds authorized by this act are not issued, such unissued bonds shall be marked "Canceled," and such cancelation authenticated by the president of the board of city trustees and the city treasurer, and all such canceled bonds shall be deposited with the city auditor.

Unissued
bonds, how
treated

SEC. 12. The holder of one or more of said bonds, for any cause whatever, failing to present said bonds to the said city treasurer for payment when they become due, all interest on such bonds shall thereafter immediately cease.

Interest
ceases, when

City treas-
urer liable

SEC. 13. The city treasurer of the city of Carson shall be liable on his official bond for the safe keeping of the moneys which shall come into his hands under the provisions of this act, and for the faithful discharge of all his duties in relation thereto.

Interest must
be paid
promptly

SEC. 14. It shall be obligatory on the said city of Carson and on its proper officers to pay in full the accrued interest on said bonds as in this act provided, and to pay said bonds on presentation after maturity until all of said bonds shall have been redeemed and retired.

City trustees
to use pro-
ceeds of
bonds for
paving Car-
son street

SEC. 15. The board of city trustees of Carson City is hereby authorized and directed to use said moneys arising from the sale of said bonds, or such number thereof as they may deem necessary to sell, for the paving of Carson street between Washington street and Sixth street as hereinafter provided.

City trustees
to adopt
plans for
pavement

SEC. 16. Such pavement shall be in accordance with plans and specifications adopted by the said board of city trustees and said board may adopt plans and specifications now on file in the office of the city clerk of said city, or may adopt other or additional plans and specifications.

Bids to be
advertised
for

SEC. 17. The board of city trustees shall advertise for bids for the paving of said street in accordance with plans and specifications by said board first adopted and may reject any and all bids, and shall require a contract in writing from the successful bidder and a bond, in an amount to be fixed by said board, for the faithful performance of such contract.

One-half cost
of paving
paid by own-
ers of prop-
erty fronting
on Carson
street

SEC. 18. Fifty per cent of the cost of paving that portion of Carson street between the north line of Sixth street and the north line of Washington street, or the north line of Washington street extended across said Carson street, exclusive of all cross-street intersections, and exclusive of that portion of the street to the center thereof in front of all blocks owned by the government of the United States,

to wit, the mint and the postoffice blocks; and the blocks owned by the State of Nevada, to wit, the state capitol grounds, shall be at the expense of the owners of all lots or fractions of lots or blocks, lying between the west side line of said Carson street and a line parallel with said Carson street, running through the center of the tier of blocks between Carson and Curry streets from the north side line of Sixth street to the north side line of Washington street, and lying between the east side line of said Carson street and a line parallel with said Carson street, running through the center of the tier of blocks between said Carson street and Plaza street from the north side line of Sixth street to the track of the Virginia and Truckee Railroad on First avenue.

SEC. 19. The State of Nevada shall pay to Carson City the cost of paving to the center of said Carson street of that portion of the street upon which abuts the state capitol grounds, together with one-fourth the cost of the intersections of the streets to the north and south of said capitol grounds with said Carson street, and the sum of five thousand dollars, or so much thereof as may be necessary, is hereby appropriated for such purpose.

State to
pay its
proportion

SEC. 20. Should the government of the United States reimburse the city of Carson for any portion of the expense of such paving of Carson street because of property of the United States abutting on said street, the sum so paid shall be placed in and become a part of said "Carson Street Paving Bond Redemption Fund."

U. S. pay-
ments to go
into redem-
tion fund

SEC. 21. The cost of paving the intersections of cross streets, not otherwise in this act provided for, of paving to the center of said Carson street in front of blocks owned by the government of the United States, to wit, the said mint and postoffice blocks, and to the center of the street in front of all lots owned by the city of Carson, and all the remaining cost of paving said street not otherwise provided for, shall be at the expense of said city of Carson.

Certain inter-
sections, pay-
ing paid for
by city

SEC. 22. The said board of city trustees shall specially assess to each owner of a lot or lots, or fractional part of a lot or lots, or fractional part of a block subject to special assessment as provided for in section 18, the proportional cost of the paving of said Carson street, required to be paid by the owners of property described in section 18. The proportion of such cost shall be upon the ratio which the value of the lot or lots or fractional part of such lot or lots, or fractional part of a block, owned by each respective owner, bears to the total amount of the assessed value of all lots, or fractional part of a lot or lots, or fractional part of a block within the limits prescribed in section 18, exclusive of improvements thereon.

Special
assessments,
how made

SEC. 23. After the total amount of the cost of such paving, chargeable to the owners of property described in section

Special
assessments
lien on prop-
erty, when

18, shall be determined, and immediately after the assessment of taxes for state and county purposes for the year 1917 has been equalized, the said board of city trustees shall determine the proportional part of such cost chargeable to each owner and shall assess the same against the property subject to such special assessment, and such special assessment so made shall be a lien upon the property so specially assessed until the whole assessment, with accrued interest, if any, as hereinafter provided, shall have been paid.

1917
assessments
controls
valuation

SEC. 24. For the purpose of determining the value of such property subject to such special assessment, the assessment for state and county purposes for the year 1917 shall control. It shall be the duty of the county assessor of Ormsby County to assess the property subject to special assessment as provided for in section 18, separate from the improvements thereon and uniformly according to the value thereof as land independent of improvements, and to assess the improvements separately as such.

Transcript
of record
open to
public

SEC. 25. As soon as said board of city trustees have determined the several amounts chargeable to such respective owners on account of such special assessment, they shall cause the same to be entered upon the record of said board, and a transcript thereof to be filed with the city treasurer. The records of said board shall be open to the inspection of any party interested in such assessment.

Special
assessment
may be paid
in
installments
—10 years
time

SEC. 26. The special assessment, mentioned in the next preceding section, may be paid to the city treasurer at the time the first installment of taxes for state and county purposes for the year 1917 are payable, or if not so paid shall be paid in equal annual installments extending over a period of ten years, together with interest on all unpaid installments at the rate of five per cent per annum, interest payable semi-annually. Said installments and interest shall be payable and collected at the times and in the manner other city taxes are collected; *provided*, the balance due upon such unpaid assessment, together with accrued interest to the date of payment, may be paid to the city treasurer at any time.

In addition
to general
tax

SEC. 27. The special assessment hereinbefore provided for shall be in addition to any general tax levied upon all the property of the city for the payment of bonds issued on account of the cost of such pavement which is a charge upon the city as a whole.

Ormsby
County to
pay its
proportion

SEC. 28. The county of Ormsby shall be considered the same as any other owner of property subject to the said special tax or assessment and shall pay for the cost of such pavement in equal proportion to all other property owners so specially assessed.

All moneys
go to
redemption
fund

SEC. 29. All moneys paid on account of such special tax or assessment shall be deposited in and become a part of said "Carson Street Paving Bond Redemption Fund."

SEC. 30. Nothing in this act providing for such special

tax or assessment shall be deemed a requisite means, but as a supplementary means only for the payment of the bonds authorized to be issued by this act and the accrued interest thereon, so far as said bonds are concerned, but said bonds shall at all times be an obligation resting upon the entire assessable property of said city until such obligation is fully discharged, and if for any reason all or any portion of such special tax or assessment be not paid, then the said board of city trustees is required to levy such tax upon all the property within said city subject to taxation as will be sufficient to pay said bonds and the interest coupons as the same shall fall due.

Bonds obligation on Carson City

SEC. 31. The said board of city trustees, before proceeding with the paving of said Carson street, may require the removal therefrom, to some other location, of all power, electric light, telegraph or telephone poles.

All poles may be removed from Carson street

SEC. 32. The said board of city trustees is authorized and empowered to adopt any ordinance necessary or convenient to aid in carrying out the purposes of this act.

Trustees may adopt ordinance to carry out act

SEC. 32½. All taxes herein provided for shall be levied for the year 1917 on or before the second Monday in April, 1917, and thereafter shall be levied at the same times prescribed for levying taxes for county purposes.

All taxes levied in April, 1917

SEC. 33. The faith of the State of Nevada is hereby pledged that this act shall not be repealed nor the taxation thereby imposed be omitted until all the bonds and coupons issued hereunder and by virtue hereof shall have been paid in full, as in this act specified.

Faith of state pledged

CHAP. 132—*An Act creating a school of mines to be located at Goldfield, Nevada, and a school of mines to be located at Ely, Nevada.*

[Approved March 20, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. There are hereby created two schools of mines, one to be known as the "Goldfield School of Mines," to be located at Goldfield, Esmeralda County, Nevada, and the other to be known as the "Ely School of Mines," to be located at Ely, White Pine County, Nevada; both of said schools to be under the direction and control of the board of regents of the University of Nevada. The principal in charge of each of the said schools of mines shall receive a salary of twenty-four hundred dollars per annum, payable in twelve equal monthly installments, on the first day of each and every month during the time this act and the provisions thereof shall remain in force and effect.

Creating schools of mines at Ely and Goldfield under board of university regents

Annual salaries of principals, \$2,400

SEC. 2. The board of regents of the University of Nevada is hereby authorized and empowered to expend for the support and maintenance of the Goldfield School of Mines for

For expenses, \$3,000 to each school

the years 1917 and 1918, and for the Ely School of Mines for the years 1917 and 1918, in addition to the salaries of the principals in charge of said schools of mines, the sum of three thousand (\$3,000) dollars for each of said schools.

CHAP. 133—*An Act to provide for the extradition of persons of unsound mind, and to make uniform the laws of the states which enact the same.*

[Approved March 20, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. This act may be cited as the Uniform Act for the Extradition of Persons of Unsound Mind.

SEC. 2. The terms "flight" and "fled," as used in this act, shall be construed to mean any voluntary or involuntary departure from the jurisdiction of the court where the proceedings hereinafter mentioned may have been instituted and are still pending, with the effect of avoiding, impeding, or delaying the action of the court in which such proceedings may have been instituted or be pending, or any such departure from the state where the person demanded then was, if he was then under detention by law as a person of unsound mind and subject to detention. The word "state," wherever used in this act, shall include states, territories, districts, and insular and other possessions of the United States. As applied to a request to return any person within the purview of this act to or from the District of Columbia, the words "Executive Authority," "Governor," and "Chief Magistrate," respectively, shall include a justice of the supreme court of the District of Columbia and other authority.

SEC. 3. A person alleged to be of unsound mind found in this state, who has fled from another state, in which at the time of his flight:

Person of
unsound
mind may be
extradited,
when

(a) He was under detention by law in a hospital, asylum, or other institution for the insane as a person of unsound mind; or

(b) He had been theretofore determined by legal proceedings to be of unsound mind, the finding being unreversed and in full force and effect, and the control of his person having been acquired by a court of competent jurisdiction of the state from which he fled; or

(c) He was subject to detention in such state, being then his legal domicile (personal service of process having been made) based on legal proceedings there pending to have him declared of unsound mind;
—shall, on demand of the executive authority of the state from which he fled, be delivered up to be removed thereto.

SEC. 4. Whenever the executive authority of any state demands of the executive authority of this state any fugitive within the purview of section 3 and produces a copy of the commitment, decree, or other judicial process and proceedings, certified as authentic by the governor or chief magistrate of the state whence the person so charged has fled, with an affidavit made before a proper officer showing the person to be such a fugitive, it shall be the duty of the executive authority of this state to cause him to be apprehended and secured, if found in this state, and to cause immediate notice of the apprehension to be given to the executive authority making such demand, or to the agent of such authority appointed to receive the fugitive, and to cause the fugitive to be delivered to such agent when he shall appear. If no such agent appears within thirty days from the time of the apprehension, the fugitive may be discharged. All costs and expenses incurred in the apprehending, securing, maintaining, and transmitting such fugitive to the state making such demand shall be paid by such state. Any agent so appointed who received the fugitive into his custody shall be empowered to transmit him to the state from which he has fled. The executive authority of this state is hereby vested with the power, on the application of any person interested, to demand the return to this state of any fugitive within the purview of this act.

Governor to
act in
extradition
cases

SEC. 5. Any proceeding under this act shall be begun within one year after the flight referred to in this act.

Limitation,
1 year

SEC. 6. This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

Interpreta-
tion of act

SEC. 7. All acts or parts of acts inconsistent with this act are hereby repealed.

Repeal

CHAP. 134—*An Act authorizing the ex officio insurance commissioner to employ a clerk, and establishing the compensation therefor.* [Approved March 20, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The ex officio insurance commissioner is hereby authorized to employ a clerk, whose salary shall be twelve hundred dollars per annum, payable in equal monthly installments, from the general insurance fund.

Authorizing
clerk for
insurance
commis-
sioner

CHAP. 135—*An Act to amend sections 151 and 152 of an act entitled "An act concerning public schools, and repealing certain acts relating thereto," approved March 20, 1911.*

[Approved March 20, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

State super-
intendent to
apportion
state
distributive
school fund

SECTION 1. Section 151 of an act entitled "An act concerning public schools, and repealing certain acts relating thereto," approved March 20, 1911, is hereby amended to read as follows:

Section 151. It shall be the duty of the superintendent of public instruction, immediately after the state controller shall have made his semiannual report, as provided in section 144 of this act, to apportion to the several school districts in the state the moneys in the state distributive school fund subject to apportionment at such time. He shall apportion the moneys of said fund among the several school districts of the state in the following manner:

Methods of
apportion-
ment

1. He must ascertain the number of teachers to which each school district is entitled by calculating one teacher for every thirty school census children or fractional part of thirty, equal to fifteen or more; *provided*, that a school having forty or more census children with an average attendance of twenty or more as shown by the report of such district for the last preceding school year shall be allowed an extra teacher.

2. He must apportion the state distributive school fund, subject to apportionment at the time, among the several school districts of the state in the following manner:

(a) He shall apportion to each district in the state \$150 for each teacher to which the district is entitled as provided in paragraph one of this section.

(b) He must further apportion on a per capita basis from the state distributive school fund to each school district in the state \$2.50 for every child between the ages of six and eighteen years in the school district, as shown by the last preceding school census.

State school
reserve fund
created

(c) He shall set aside from the state distributive school fund then remaining the sum of \$20,000, to be known as the state school reserve fund.

Balance, how
distributed

(d) He shall apportion among the several school districts of the state the balance of the state distributive school fund, after the said \$20,000 has been set aside on a per capita basis in proportion to the number of school census children in each district to the total number of school census children in the state as shown by the last preceding school census.

3. (a) Whenever any county has levied 40 cents on the \$100 assessed valuation of the county, of which at least 25 cents on the \$100 is for elementary school purposes, in counties where a separate levy is made for elementary schools and a separate levy for county high-school purposes, if such

levy does not bring in an amount of money equal to that required by law of such county for all county school purposes, exclusive of school bonds and interest thereon, the superintendent of public instruction must apportion to said county from the state school reserve fund a sum of money such that taken with the amount raised by the levy of 25 cents on the \$100 by the county shall be sufficient to make the sum required by law of such county for county school purposes; *provided*, that in addition to such levy of 25 cents on the \$100 the county has levied at least 15 cents on the \$100 for county high-school purposes, exclusive of school bonds and interest thereon.

Certain apportionments from state reserve school fund

(b) Whenever any county has levied 40 cents on the \$100 of the assessed valuation of the county for combined elementary and high-school purposes in a county having no county high school, if such levy does not bring in an amount of money equal to that required by law of such county for county school purposes, exclusive of school bonds and interest thereon, the superintendent of public instruction must apportion to such county from the state school reserve fund a sum of money such that taken with the amount raised by the levy of 40 cents on the \$100 assessed valuation by the county shall be sufficient to make the sum required by law of such county for county school purposes exclusive of school bonds and interest thereon.

Same

4. (a) In addition to the apportionments already provided for in this act the superintendent of public instruction shall apportion from the school reserve fund to any county which shall have levied a county high-school tax, when this county high-school tax rate taken with the rate required of the county for elementary schools (any relief rate having been deducted) makes a rate in excess of 40 cents on the \$100 assessed valuation of such county, a special high-school relief apportionment equal in amount to that raised by the county by such tax in excess of 40 cents on the \$100 assessed valuation in the county, as specified above, for the county high-school fund. But in no case shall he apportion from the state school reserve fund at any semi-annual apportionment an amount in excess of \$12.50 per pupil as determined by the average monthly enrollment in such county high school for the preceding school year.

Special high-school relief apportionment

(b) The superintendent of public instruction shall apportion to any district in the state which after receiving the regular state and county apportionment provided for above shall lack the necessary funds to maintain its school properly, a special district relief apportionment from the state school reserve fund whenever such district shall have levied (and there shall have been collected the first half of) a special district tax of not less than 15 cents on the \$100 of assessed valuation of said district. If the county in which such district is located has levied a total tax for county school purposes,

Special district relief apportionment

Limitation exclusive of school bonds and interest thereon, amounting to 40 cents on the \$100 assessed valuation of such county, the state shall provide from said state school relief fund a sum of money equal to that raised by said district by such special tax; but in no case shall he apportion at any semiannual apportionment more than \$5 per census pupil for such relief apportionment to the district. In case the county levy for school purposes in the county in which said district is located is less than 40 cents on the \$100 assessed valuation for county school purposes, exclusive of school bonds and the interest thereon, the county shall provide one-half and the state one-half of such special relief apportionment to be made by the superintendent of public instruction, and the total relief apportionment from the county and the state shall be equal to the sum raised by the special district tax on said district; but such combined relief from the county and the state shall not exceed at any semiannual apportionment \$5 per census child in the district as determined by the last preceding school census.

Methods of semiannual apportionment 5. The provisions of this section for the semiannual apportionments in the calendar years 1918 and 1919 shall be carried out in the following manner:

(a) The amount apportioned for each teacher in this section under subdivision 2(a) shall be \$137.50 instead of \$150.

(b) The amount apportioned on each child in this section under subdivision 2(b) shall be \$2 instead of \$2.50.

(c) Subdivision 4(b) shall not apply to any district having more than 175 census children.

SEC. 2. Section 152 of said act is hereby amended to read as follows:

Manner of apportioning county school fund Section 152. The superintendent of public instruction shall immediately after he has apportioned the state distributive school fund, as provided in this act, proceed to apportion the county school fund of each county among its several school districts. He shall apportion the county school fund as follows:

1. He must ascertain the number of teachers to which each school district is entitled by calculating one teacher for every thirty school census children or fractional part of thirty equal to fifteen or more; *provided*, that a school having forty or more census children with an average attendance of twenty or more, as shown by the report of such district for the last preceding school year, shall be allowed an extra teacher.

2. He must apportion the county school fund, subject to apportionment at the time, among the several school districts of the different counties of the state in the following manner:

(a) He shall apportion to each district in the several counties of the state \$225 for each teacher to which the district is entitled as provided in paragraph one of this section.

(b) He must further apportion on a per capita basis from the county school fund to each district \$3 for every child between the ages of six and eighteen years in the school district, as shown by the last preceding school census. Further apportionment

(c) He shall apportion among the several school districts of the different counties in the state the balance remaining in the county school funds of the several counties in the state, exclusive of a county school reserve fund in any county, after the apportionments have been made under (a) and (b), on a per capita basis in proportion to the number of school census children in each district to the total number of school census children in the county, as shown by the last preceding school census.

3. It shall be the duty of the board of county commissioners of each county not later than the April meeting, 1917, so as to provide funds under this act for the school year 1917-1918, and annually thereafter, at the time of levying their county taxes, to levy a county school tax sufficient to provide the money required for the apportionments to be made under this act. And the provisions of this act shall become effective for the first semiannual apportionment in the year 1918, at the time provided in sections 1 and 2 of this act. County commissioners to levy sufficient school tax

4. Any money remaining in the state school reserve fund, and in any county school reserve fund on the 30th day of June and the 31st day of December of any year shall revert to the state distributive school fund and to the county school fund respectively. Residue of reserve fund reverts to certain funds

CHAP. 136—*An Act authorizing the board of county commissioners of Eureka County to pay certain expenses and matters relating thereto.*

[Approved March 20, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The county commissioners of Eureka County, Nevada, are hereby authorized and empowered to pay out of the county funds the expenses necessarily incurred by them, or any of said commissioners, in the examination and inspection of the highways and roads of said county, said expenses to be allowed, audited and paid the same as other bills against the said county; *provided*, that not more than \$300 the year shall be allowed and paid for such purpose. Eureka County commissioners to pay certain claims Limitation

SEC. 2. All acts and parts of acts in conflict with this act are hereby repealed. Repeal

CHAP. 137—*An Act for the relief of Edna Sinclair.*

[Approved March 20, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Relief of
Edna
Sinclair

SECTION 1. The sum of fifty (\$50) dollars is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, in payment of the claim of Edna Sinclair of like amount, for services rendered the Nevada world's fair commission of St. Louis in 1904.

To be paid \$50

SEC. 2. The state controller is hereby directed to draw his warrant in favor of Edna Sinclair for the sum of fifty (\$50) dollars, and the state treasurer is hereby directed to pay the same.

CHAP. 138—*An Act for the relief of U. M. Slater, trustee for stockholders of Nevada Packing Company.*

[Approved March 20, 1917]

Relief of
Nevada
Packing
Company

WHEREAS, During the years 1912, 1913, 1914, and 1915 certain contracts were entered into by the state board of prison commissioners on behalf of the state with the Nevada Packing Company for supplying meats to the Nevada state prison; and

WHEREAS, The clerk of said Nevada state prison made certain unauthorized deductions from amounts due to the Nevada Packing Company for meats supplied under said contract; and

WHEREAS, By reason of said deductions there was erroneously held from the Nevada Packing Company under said deductions the sum of four hundred forty and ³¹/₁₀₀ (\$440.31) dollars; and

WHEREAS, A claim for same has been presented to the state board of examiners and approved by them for relief; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation, \$440.31

SECTION 1. The sum of four hundred forty and ³¹/₁₀₀ (\$440.31) dollars is hereby appropriated for the relief of U. M. Slater, trustee for stockholders of Nevada Packing Company, for the purpose of paying for certain erroneous deductions made by mistake by the clerk of the Nevada state prison from bills of the Nevada Packing Company against the Nevada state prison; *provided, however*, that said appropriation be subject to further audit and reduction, if found warranted, by the state board of examiners, and the state controller is hereby authorized and directed to draw his warrant in favor of U. M. Slater, trustee for stockholders of Nevada Packing Company, for said sum of four hundred

forty and ²¹/₁₀₀ dollars, as approved by the state board of examiners after further audit, and the state treasurer is authorized to pay the same.

CHAP. 139—*An Act to grant the right of way to Walter E. Trent and his associates and assigns for the construction of a railroad from Ely, Nevada, or Eureka, Nevada, westerly, southerly or southwesterly to a connection with other railroad or railroads.* [Approved March 20, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The right of way, 200 feet in width, on which to locate, construct, maintain and operate, either by steam, electric, or other power, a narrow- or standard-gage railroad with iron or steel rails, by such route as they may deem most feasible or advantageous, from Ely, White Pine County, Nevada, or Eureka, Eureka County, Nevada, thence in a westerly, southwesterly or southerly direction to a point of connection with a line or lines of railroad now existing or hereafter to be built, such connection to be made at Mina, Nevada, or Basalt, Nevada, or to a convenient point on the Tonopah and Goldfield railroad or on any railroad found most feasible or advantageous between Beatty, Nevada, and Basalt, Nevada, is hereby granted to Walter E. Trent and his associates and assigns for the term of fifty years; *provided*, that the construction of said railroad shall be commenced within two years from the date of the passage of this act and shall be completed within five years thereafter.

Right of way for railroad in Eureka and White Pine Counties

Proviso

SEC. 2. The said Walter E. Trent and his associates and assigns shall have all the rights, privileges and franchises conferred on railroad companies incorporated in this state by the provisions of "An act to provide for the incorporation of railroad companies and the management of the affairs thereof and other matters relating thereto," approved March 22, 1865, and the acts amendatory thereof or supplemental thereto, so far as the same are consistent with the provisions of this act.

W. E. Trent granted privileges under railroad act

CHAP. 140—*An Act to fix the state tax levy for the fiscal years 1917 and 1918 and to distribute the same to the proper funds.* [Approved March 20, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the fiscal year commencing January 1, 1917, an ad valorem tax of sixty-one and fifty-five one-hundredths cents on each one hundred dollars of taxable property is hereby levied and directed to be collected for

Fixing state tax levy for 1917

Apportion-
ment of tax

state purposes upon all taxable property in the state, including net proceeds of mines and mining claims, except such property as is by law exempt from taxation, which shall be apportioned by the state controller among the various funds of the state as follows: General fund, thirty-three and seven-tenths cents; general school fund, seven and six-tenths cents; state loan interest and redemption fund, one and seven-tenths cents; territorial interest fund, two-tenths of one cent; university contingent fund, seven and three-tenths cents; contingent emergency bond interest and redemption fund, five-tenths of one cent; general appropriation bond interest and redemption fund, three-tenths of one cent; state highway fund, seven cents; rabies fund, two cents; agricultural building, University of Nevada, five-tenths of one cent; experiment farm, University of Nevada, twenty-five one-hundredths of one cent; new prison bond interest and redemption fund, five-tenths of one cent.

Fixing state
tax levy for
1918

Apportion-
ment

SEC. 2. For the fiscal year commencing January 1, 1918, an ad valorem tax of fifty-six and seventy-five one-hundredths cents on each one hundred dollars of taxable property is hereby levied and directed to be collected for state purposes upon all taxable property in the state, including net proceeds of mines and mining claims, except such property as is by law exempt from taxation, which shall be apportioned by the state controller among the various funds of the state as follows: General fund, twenty-six and one-tenth cents; general school fund, six and eight-tenths cents; state loan interest and redemption fund, one and five-tenths cents; territorial interest fund, one cent; university contingent fund, six and five-tenths cents; contingent emergency bond interest and redemption fund, one and two-tenths cents; general appropriation bond interest and redemption fund, four-tenths of one cent; state highway fund, ten cents; rabies fund, two cents; agricultural building, University of Nevada, five-tenths of one cent; experiment farm, University of Nevada, twenty-five one-hundredths of one cent; new prison bond interest and redemption fund, five-tenths of one cent.

CHAP. 141—*An Act for the relief of Thomas J. Edwards.*

[Approved March 20, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Relief of T. J.
Edwards

SECTION 1. The sum of one hundred eighty-six and ²²/₁₀₀ dollars is hereby appropriated, out of general funds of the state treasury not otherwise appropriated, for the relief of Thomas J. Edwards, clerk of the district court of the United States for the district of Nevada, the said sum being for fees

due to said Thomas J. Edwards, accrued in various cases in the said court, in which the railroad, tax and public service commissions of Nevada and state officers were parties, claim for which amount has been duly examined, allowed and approved by the state board of examiners.

SEC. 2. The state controller is authorized and directed to draw his warrant for said amount, and the state treasurer is authorized and directed to pay the same. To be paid
\$186.90

CHAP. 142—*An Act for the relief of T. A. Lotz.*

[Approved March 20, 1917]

WHEREAS, During the years from 1911 to 1916, inclusive, at the request of the supreme court of the State of Nevada, T. A. Lotz prepared certain scale drawings for the use of said court in the preparation of opinions in cases pending before said court at and for the price of fifty-three (\$53) dollars for said scale drawings; and Relief of
T. A. Lotz

WHEREAS, The claim of said T. A. Lotz for said work was not approved by said supreme court until the recent retirement of Honorable F. H. Norcross as chief justice thereof; and

WHEREAS, Said claim has been approved and allowed by the entire supreme court of Nevada, and has been examined, allowed and approved by a majority of the state board of examiners; and

WHEREAS, Said claim is a legal and just claim against the State of Nevada; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of fifty-three (\$53) dollars is hereby appropriated, out of any moneys in the general fund of the state treasury not otherwise appropriated, for the payment of the said T. A. Lotz for the said services so rendered, and in full compensation for all of said services. Appropriation, \$53

SEC. 2. The state controller is hereby directed to draw his warrant in favor of said T. A. Lotz for the sum of fifty-three (\$53) dollars, and the state treasurer is hereby directed to pay the same.

CHAP. 143—*An Act to provide for the preparation, printing, and distribution of a schedule showing the change in the Revised Laws of Nevada, 1912, wrought by the laws enacted at the special session of 1912, and regular sessions of 1913, 1915, and 1917, of the legislature of the State of Nevada.*

[Approved March 20, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The attorney-general is hereby authorized and

Providing
for printing
schedule of
changes in
Revised
Laws

directed to prepare, or have prepared under his supervision, a schedule showing the changes in the Revised Laws of Nevada, 1912, wrought by the laws enacted at the special session of 1912 and regular sessions of 1913, 1915 and 1917 of the legislature of the State of Nevada, and have the same printed in suitable form, and to distribute the same gratuitously to all proper applicants therefor.

Where
printed

SEC. 2. Said schedule shall be printed at the state printing office.

3,000 copies

SEC. 3. Not more than three thousand copies of the same shall be printed.

Appropri-
ation, \$75

SEC. 4. To carry out the purposes of this act the sum of seventy-five dollars is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, to pay for printing said schedule and postage on the distribution thereof, and to be disbursed in the same manner as other claims against the state are paid.

CHAP. 144—*An Act for the advancement of agriculture, horticulture, the livestock industry and home economics, and for the dissemination of knowledge and information in relation thereto, in southern Nevada; creating the southern Nevada agricultural board and prescribing its duties; providing for cooperative agricultural extension work in southern Nevada by agreement with the agricultural extension division, University of Nevada; making an appropriation therefor; repealing "An act to establish an agricultural experiment farm in the southern part of this state and making an appropriation therefor," approved March 2, 1905, and all acts amendatory and supplemental thereto, and for other purposes.*

[Approved March 21, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Southern
Nevada
agricultural
board
created; how
composed

SECTION 1. For the advancement of agriculture, horticulture, the livestock industry and home economics, and for the dissemination of knowledge and information in relation thereto, in Clark County, and that portion of Nye County lying south of the 37th degree parallel of latitude, in southern Nevada, the governor is hereby authorized to appoint three persons, resident therein, as members of the southern Nevada agricultural board, which is hereby created. The terms of office of the members of said board shall be at the pleasure of the governor, and they shall serve without compensation other than for actual traveling and living expenses when attending meetings thereof. Said board shall organize by electing one of their number as chairman and may appoint a secretary who shall serve without compensation.

SEC. 2. It shall be the duty of said board, on or before the 15th day of June of each year, to enter into a written agreement with the agricultural extension division, University of Nevada, providing for cooperative agricultural extension work in southern Nevada, as defined under the Smith-Lever act of Congress, for the ensuing federal fiscal year beginning July 1 next thereafter. Said agreement shall outline, in the form of definite projects, the work agreed to be undertaken and conducted during such fiscal year in pursuance of this act, and shall include a detailed budget of the expenditures authorized under each such project, a certified copy of which, and of any subsequent revision thereof, shall be filed with the state controller. No expenditures shall be contracted or paid except in pursuance of such budget.

Duties of
said board

SEC. 3. For the purposes of carrying out the provisions of this act the sum of twenty-five hundred dollars annually, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, and which shall be disbursed in pursuance of said budget on claims certified to by the chairman of said board and the director of agricultural extension, in the same manner as other claims against the state are paid.

Appropri-
ation, \$2,500
annually

SEC. 4. "An act to establish an agricultural experiment farm in the southern part of this state, and making an appropriation therefor," approved March 2, 1905, and all acts amendatory thereof or supplemental thereto, are hereby repealed.

Abolishing
Logan
experiment
farm

SEC. 5. The governor and secretary of state are hereby authorized and directed to make the necessary conveyances of all the real and all other property of the above-mentioned agricultural experiment farm to the county of Clark, the proceeds from the sale or lease of the same to be used in agricultural extension work in connection with said southern Nevada agricultural board.

Governor
and
secretary of
state to act

CHAP. 145—*An Act to authorize the University of Nevada to purchase an experiment farm, and providing for the issuance and sale of bonds therefor and the redemption thereof.*

[Approved March 22, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The governor, state controller and state treasurer are hereby constituted a commission, and are hereby authorized, directed and empowered to prepare and issue bonds of the State of Nevada in the sum of forty-three thousand (\$43,000) dollars. Said bonds shall be in denomination of one thousand (\$1,000) dollars, payable in gold coin of the United States and shall be numbered serially, and when retired shall be retired in order of their issuance. Said bonds shall be signed by the governor and endorsed by the

Bonds
authorized to
purchase
experiment
farm for
university

state treasurer and countersigned by the state controller and authenticated by the great seal of the state. Said bonds shall bear interest at the rate of five per cent per annum, payable semiannually, and shall be payable within twenty years from the date of issuance.

Bonds to be sold to various state educational funds

SEC. 2. Upon the issuance and execution of said bonds the same shall be sold and delivered to the state permanent school fund, university 90,000-acre grant fund, or the university seventy-two section grant fund, as moneys may be available therein and in the state treasury to the credit of such fund, and when so sold the state controller shall draw his warrant against said fund or funds for the amount of said bonds. Said bonds shall be sold at par, and the proceeds thereof placed in a fund to be known as the university experiment farm fund. Two or more of said bonds of one thousand dollars each shall be redeemed each year commencing June 1, 1918, and annually thereafter upon the same date.

State tax for interest and redemption of bonds

SEC. 3. There shall be annually levied an ad valorem tax of one-fourth of one cent on each one hundred dollars of taxable property of the State of Nevada including the net proceeds of mines, and all moneys derived therefrom shall be paid into the University of Nevada experiment farm interest and redemption fund, which shall be used for the purpose of paying interest and the redemption of the bonds authorized by this act. If after the payment of interest and the annual redemption of the number of bonds as herein provided for, there shall remain a surplus in said interest fund, such surplus shall be used for the retirement and cancelation of additional bonds provided in this act to the amount of such surplus.

Regents to purchase certain land

Description of same by metes and bounds

SEC. 4. The board of regents of the University of Nevada is hereby authorized and directed to exercise an option to purchase and to purchase that certain property situate in the county of Washoe, State of Nevada, in the south half of section 25 of township 19 N, R. 19 E, M. D. B. & M., and particularly described as follows: Beginning at the southeast corner of section 25 of T. 19 N, R. 19 E, M. D. B. & M., said corner being the intersection of the west line of the county road known as the Virginia road, with the north line of the county road extending westerly along the south boundary of said section 25 from said corner; thence north 20° 23' 05" west and along the west line of said Virginia road 1,727 feet; thence north 69° 36' 55" east 113 feet; thence north 20° 23' 05" west 447 feet; thence 69° 36' 55" east 75 feet to the west line of the right of way of the Virginia and Truckee railroad; thence north 20° 23' 05" west and along the west line of said right of way 560 feet to the north boundary line of the south half of said section 25; thence west and along said north boundary line of said south half 3,176 feet to post at northwest corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said section 25; thence south 2,640 feet to the south boundary

line of said section 25; thence east and along said south boundary line 3,960 feet to the place of beginning, and containing within the above-described boundaries 213.7 acres; excluding from the above-described land the county road known as the Virginia road, containing 1.33 acres. Also that certain right of way for a ditch, and said ditch, as the same is described and granted in that certain agreement between D. C. Wheeler and Matie Douglas Summerfield, dated January 9, 1911, and filed for record January 9, 1911, in book "E" of Bonds and Agreements, at page 312, *et seq.*, and in the deed executed by Matie Douglas Summerfield to D. C. Wheeler in confirmation of said agreement, which deed is of record in the county recorder's office of the county of Washoe, State of Nevada. Together with all of the water and water rights incident, appurtenant or used in the irrigation of the hereinbefore-described real estate, and all water and water rights incident or appurtenant to the said land conveyed, and also two hundred (200) shares of the capital stock of the South Side Irrigating Canal Company. Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

Description
by metes and
bounds

SEC. 5. Said board of regents is hereby authorized and directed to pay for said property from the university experiment farm fund heretofore provided for in this act by a claim approved by the board of regents, and presented and allowed by the board of examiners, and when such claim be so presented and allowed the state controller shall draw his warrant for the amount of said claim in favor of the claimant.

Land paid
for from
university
experiment
farm fund

CHAP. 146—*An Act to provide for civic and physical training and instruction in the high schools of Nevada, and matters properly connected therewith.*

[Approved March 21, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. It is hereby made the duty of all school officers in control of public high schools in the State of Nevada to provide for courses of instruction designed to prepare the pupils for the duties of citizenship, both in time of peace and in time of war. Such instruction shall include: (1) Physical training designed to secure the health, vigor, and physical soundness of the pupil; (2) Instruction relative to the duties of citizens in the service of their country. It shall be the aim of such instruction to inculcate a love of country and a disposition to serve the country effectively and loyally.

Civic and
physical
training
authorized in
schools

SEC. 2. All boards of education or boards of school trustees of county or district high schools offering a four years' ,

Special
teacher,
when

high-school course are hereby empowered to employ teachers of physical training who shall devote all or part of their time to physical instruction for both boys and girls.

State tax
authorized

SEC. 3. In order to assist in the payment of salaries of said physical training instructors there shall be levied on the passage of this act an ad valorem tax of five mills on the hundred dollars of assessed valuation of all the taxable property of the state.

Superinten-
dent of
public
instruction to
apportion
money

SEC. 4. The state superintendent of public instruction, at the time of the apportionment of other state school funds, shall apportion the funds derived from the levy as provided in section 2 of this act on the basis of the high-school enrollment of the preceding school year, as follows: Three hundred dollars for each one hundred pupils, or fraction thereof, enrolled in any high school partaking of the benefits of this act; but no high school shall receive such apportionment unless a legally licensed teacher of physical training is employed therein.

Restriction

In effect

SEC. 5. This act shall take effect and be in force from and after its passage and approval.

CHAP. 147—*An Act authorizing and directing the board of county commissioners of Churchill County, State of Nevada, to issue bonds for the purpose of providing means for the erection and maintenance of a high-school building in the city of Fallon, county of Churchill, State of Nevada, and the purchase of a site therefor, providing for the expenditure of the moneys realized from the sale of such bonds, and providing for the payment of such bonds upon maturity.*

[Approved March 22, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Bonds for
high school
in Fallon

SECTION 1. The board of county commissioners of Churchill County, State of Nevada, is hereby authorized and directed under the provisions of this act to issue bonds of said county bearing interest at the rate of five per centum per annum, in the sum of eighty-five thousand dollars, including the fifty-thousand dollars bond issue authorized at the 1916 general election held in said county, none of which bonds shall run for a period longer than twenty years from the first day of July, 1917.

Denomina-
tion of bonds,
interest, etc.

SEC. 2. The bonds authorized under the provisions of section 1 of this act shall be issued in the sum of one thousand dollars each. They shall be numbered from 1 to 85, consecutively. They shall be signed by the chairman of the board of county commissioners, attested by its clerk, sealed with the seal of the county and countersigned by the county treasurer; and each of the interest coupons attached to said bonds shall

be signed by the original or engraved facsimile signature of the county treasurer. The interest on said bonds shall be payable semiannually.

SEC. 3. On the first day of July, 1923, and annually thereafter, until and including the first day of July, 1927, five of such bonds, together with the interest thereon, shall be paid and redeemed by the county treasurer of Churchill County; on the first day of July, 1928, and annually thereafter, six of such bonds, together with the interest thereon, shall be paid and redeemed by said county treasurer. The payment and redemption of said bonds shall be in the order of their issuance, the lowest-numbered bond to be the first paid and redeemed, and so on until the whole amount of bonds issued under the provisions of this act shall have been paid and redeemed.

Redemption
of bonds

SEC. 4. The said bonds shall be advertised for sale and sold by the county board of education of said county for the purpose of raising funds for the objects designated in this act. Before delivery, they shall be registered by the county treasurer in a book kept for that purpose in his office, which shall show the amount, the place and time of payment, and the rate of interest; and said bonds shall bear the certificate of the county treasurer to the effect that they are issued and registered under the provisions of this act. All moneys derived from the sale of such bonds shall be paid to the county treasurer, and the said treasurer is hereby required to receive and safely keep the same in a fund hereby created and known as the "County High-School Building Fund," and to pay out said moneys in the manner now provided by law for payments from the "County High-School Fund" and for the purposes provided for in this act.

Bonds
registered
and
advertised
for sale

SEC. 5. The county board of education is hereby authorized and directed to use the moneys derived from the sale of said bonds, or such portion thereof as they may deem necessary, for the purchase of property in said county of Churchill for a building site, agricultural gardens and other necessary school purposes, and for the construction of a high-school building thereon; and any balance remaining in such fund after the accomplishment of the said purposes shall be converted into and become a part of the "County High-School Fund." Said county board of education shall determine as to the character and location of said building and as to the materials and plans to be used therefor; said board shall advertise for bids for the construction thereof and let the construction thereof by contract to the lowest responsible bidder, said board to have authority to reject any and all bids and to readvertise until a satisfactory bid is obtained. Should the holder of any bond or bonds issued under this act, for any cause whatever, fail to present the same to the county treasurer for payment when due, all interest thereon shall thereupon immediately cease.

County
board of
education to
use bond
money for
purposes
herein
authorized

Special tax
to pay bonds
and
interest

SEC. 6. It shall be the duty of the board of county commissioners of Churchill County to annually levy and assess a special tax on all the taxable property of said county, including the net proceeds of mines, in an amount sufficient to pay the interest accruing on said bonds promptly when due according to the tenor and effect of said bonds, and the county treasurer shall collect the same as other taxes are collected, in cash only, keeping the same separate from other funds received by him, and shall cause said interest to always be promptly paid at the place of payment specified in the bonds; and if there be any surplus after paying said interest, the treasurer shall without delay pass the same to the credit of the "County High-School Fund," and it shall then be subject to the disposal of the county board of education. Commencing in the year 1922, and annually thereafter, until the full payment of said bonds has been made, the board of county commissioners of said Churchill County shall at the time of making the levy for taxes for state and county purposes, levy upon all the taxable property of said Churchill County, including the net proceeds of mines, a tax in an amount sufficient to produce the revenue required to redeem and make payment of such of the above-mentioned bonds as shall mature on July 1 of the year next following the making of such levy. The taxes so levied shall be assessed and collected as other taxes are assessed and collected, and the county treasurer shall keep the same in a fund hereby created and known as the "High-School Bond Redemption Fund," and the money in said fund shall be paid out by the said county treasurer in the payment of the principal of said bonds as they become due, upon the presentation and surrender of said bonds and coupons to the said county treasurer at his office. Should any money remain in said last-named fund after payment of all of said bonds the treasurer shall without delay pass the same to the credit of the "County High-School Fund."

Residue
reverts

County
treasurer
liable

SEC. 7. The county treasurer shall be liable on his official bond for the safe keeping of the moneys which shall come into his possession under the provisions of this act and for the faithful discharge of all his duties hereunder.

Faith of state
pledged

SEC. 8. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor the taxation thereby imposed be omitted, until all the bonds and coupons issued under and by virtue thereof shall have been paid in full as in this act provided.

CHAP. 148—*An Act to define judicial officers and offices and school officers and offices, and to declare them nonpartisan, and to provide that the names of candidates for such offices shall appear alike upon all ballots at primaries and general elections.*

[Approved March 22, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The words and phrases of this act shall, unless
such construction be inconsistent with the context, be construed as follows: Judicial and school officers to be nonpartisan

(a) The words "judicial officers," any justice of the supreme court, any judge of a district court, or any justice of the peace; and the words "judicial office," the office filled by any judicial officer.

(b) The words "school officer," the state superintendent of public instruction, the regents of the University of Nevada, the members of county boards of education, school trustees, and high-school trustees, and the words "school office," any office filled by any school officer.

SEC. 2. All judicial offices and all school offices are hereby declared to be nonpartisan, and the names of candidates for such offices shall appear alike upon the ballots of all parties at all primary elections and at all general elections.

CHAP. 149—*An Act regulating the fiscal management of counties, cities, towns, school districts, and other governmental agencies.*

[Approved March 22, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The business of every county in this state on and after the approval of this act shall be transacted upon a cash basis and in accordance with the terms of this act. County business to be on cash basis

SEC. 2. For the purpose of this act every county, city, town, municipality, school district or high-school district and the governing boards thereof are deemed to be governmental agencies of the State of Nevada. Governmental agencies of state

SEC. 3. The county commissioners of each county in this state shall, between the first Monday of January and the first Monday of April of each year, prepare a budget of the amount of money estimated to be necessary to pay the expenses of conducting the public business of said county for the then current year. Said budget shall be prepared in such detail as to the aggregate sums and the items thereof as shall be prescribed by the Nevada tax commission and shall in any event show the following detail: Budget of all public expenses must be made as prescribed by tax commission

Detail of
assessable
property

1. Estimated aggregate assessments upon which the tax rates are based.
2. Real property.
3. Personal property.
4. Net proceeds of mines.

Detail of
expenditures

And shall show the estimated expenditures in detail, showing administrative expense, indigent fund, roads and bridges, interest and redemption, common schools, high schools, emergency.

Detail of
receipts

The estimated receipts from all sources in the following detail: Taxation, inheritance tax, licenses, fees, poll tax, interest on county moneys, rentals and sales of county property, forest service, state's proportion of county officers' salaries, state school money.

Upon the preparation and completion of said budget the same shall be signed by the commissioners of the county approving the same and by the county clerk, and the several sums set forth in said budget under estimated expenditures shall be thereby appropriated for the several purposes therein named for the then current fiscal year. Said budget shall be forthwith filed in the office of the auditor and recorder, and a copy thereof shall then be published for two publications, one week apart, in the official newspaper of the county, if there be one, or if there be no official newspaper, then in a newspaper to be designated by the board of county commissioners.

Unlawful to
contract any
debt not
included in
budget

SEC. 4. It shall be unlawful for any commissioner, or any board of county commissioners, or any officer of the county to authorize, allow, or contract for any expenditure unless the money for the payment thereof is in the treasury and specially set aside for such payment. Any county commissioner or officer violating the provisions of this section shall be removed from office in a suit to be instituted by the district attorney of the county wherein said commissioner or officer resides, upon the request of the attorney-general, or upon complaint of any interested party.

Action in
cases of
emergency
or great
necessity
Proviso

Must be
published

SEC. 5. In case of great necessity or emergency, the board of county commissioners by unanimous vote, by resolution reciting the character and nature of such necessity or emergency, may authorize a temporary loan for the purpose of meeting such necessity or emergency; *provided, however*, that before the adoption of any such emergency resolution by the board of county commissioners they shall publish notice of their intention to act thereon in the official newspaper of the county for at least two publications at least one week apart, and no vote may be taken upon such emergency resolution until fifteen days after the first publication of said notice. Upon the unanimous adoption of any emergency resolution a certified copy thereof shall be for-

warded to the state board of revenue, hereinafter defined, for its approval, and no such resolution shall be effective until approved by the said state board of revenue, and the resolution of the said state board of revenue shall be recorded in the minutes of the board of county commissioners.

SEC. 6. Whenever any board of county commissioners shall be authorized to make any emergency loan, as provided for in the preceding section, they may issue, as evidence thereof, negotiable paper, notes or short-time negotiable bonds. Said evidence of indebtedness shall mature not later than two and one-half years from the date of issuance, and shall bear interest at not to exceed eight per cent per annum, and be redeemable at the option of the county at any time when money is available in the emergency tax fund hereinafter provided.

Commissioners may issue short-time bonds or notes

Interest limited

SEC. 7. It shall be the duty of the county commissioners at the first tax levy following the creation of any emergency indebtedness to levy a tax sufficient to pay the same, which shall be designated "Emergency Tax," the proceeds of which shall be placed in "The Emergency Fund" in the treasury of the county, and used solely for the purpose of maturing and redeeming the emergency loan for which the same is levied.

Emergency tax, when

SEC. 8. The county commissioners of any county in this state which now has a floating indebtedness or any scrip outstanding shall levy a tax for the year 1917 sufficient to redeem and pay such floating indebtedness or scrip outstanding, or such board of county commissioners may immediately, upon the approval of this act, fund such floating debt into bonds, which bonds shall provide for the payment of principal and interest at the rate of not to exceed six per cent per annum and which shall be redeemed and retired in ten equal installments commencing January 1, 1918, and said board of county commissioners shall annually levy a tax sufficient to provide for the redemption of at least one-tenth of such outstanding bonded indebtedness and pay the interest thereon as herein provided.

Existing indebtedness must be redeemed

SEC. 9. It shall be the duty of the governing board of every city, municipality, town, school district or high-school district in this state between the first Monday of January and the first Monday of April of each year to prepare a budget of the amount of money estimated to be necessary to pay the expenses of conducting the public business of such city, municipality, town, school district or high-school district for the then current year. Such budget shall be prepared in such detail as to the aggregate sums and the items thereof as shall be prescribed by the Nevada tax commission. The budget of any town or city or municipality shall in any event show the following detail:

Budgets for cities, towns and school districts

Form of city
budget

TOWNS AND CITIES

Estimated Valuation:

Realty	.	.	.	.	.	.	.....
Improvements	.	.	.	.	.	.	.....
Personal	.	.	.	.	.	.	.....
Total	.	.	.	.	.	.	.....

REQUIREMENTS (Estimated)

Salaries of officials	.	.	.	.	.	.	.....
Other administrative expense	.	.	.	.	.	.	.....
Police department	.	.	.	.	.	.	.....
Fire department	.	.	.	.	.	.	.....
Streets and alleys	.	.	.	.	.	.	.....
Bond interest and redemption	.	.	.	.	.	.	.....
Miscellaneous (itemized)	.	.	.	.	.	.	.....
Special (itemized)	.	.	.	.	.	.	.....
Total	.	.	.	.	.	.	.....

RECEIPTS (Estimated)

Licenses	.	.	.	.	.	.	.....
Police fines	.	.	.	.	.	.	.....
Other sources, excluding taxation (itemized)	.	.	.	.	.	.	.....
Balance from taxation	.	.	.	.	.	.	.....
Rate necessary to produce,.....	.	.	.	.	.	.	.....
Cash on hand January 1	.	.	.	.	.	.	.....
Balance due second half taxes, 19....	.	.	.	.	.	.	.....

And the budget of any school district or high-school district shall in any event show the following detail:

Form of
school
district
budget

SCHOOL DISTRICTS

Estimated Valuation:

Realty	.	.	.	.	.	.	.....
Improvements	.	.	.	.	.	.	.....
Personal	.	.	.	.	.	.	.....
Total	.	.	.	.	.	.	.....

<i>Purpose</i>	REQUIREMENTS (Estimated)	<i>Amount</i>
.....

RECEIPTS (Estimated)

Excess surplus on hand and due	.	.	.....
Net amount required from tax levy	.	.	.....
Cash on hand January 1	.	.	.....
Estimated amount state apportionment second half 19.....	.	.	.....
Estimated amount county apportionment second half 19.....	.	.	.....
Operating surplus desired	.	.	.....
Rate necessary to produce net requirement,.....	.	.	.....

Upon the preparation and completion of said budget it shall be signed by the governing board of such city, town,

municipality, school district or high-school district, and in cities or municipalities it shall be filed with the city clerk; and if of a town, school district or high-school district it shall be filed with the auditor and recorder of the county wherein such town, school district or high-school district is situated. A copy of said budget shall be forthwith published for two publications, one week apart, in the official newspaper of the city, town or county, if there be one, or if there be no official newspaper then in a newspaper to be designated by the governing board of such city, municipality, town, school district or high-school district.

Budget filed,
and
published in
newspaper

SEC. 10. It shall be unlawful for any governing board or any member thereof or any officer of any city, town, municipality, school district or high-school district to authorize, allow or contract for any expenditure unless the money for the payment thereof has been specially set aside for such payment by the budget. Any member of any governing board or any officer violating the provisions of this section shall be removed from office in a suit to be instituted by the city attorney in the case of cities, and by the district attorney in cases of towns, school districts or high-school districts wherein such officer or member of the governing board resides, upon the request of the attorney-general or upon complaint of any interested party.

Unlawful to
contract any
expense not
included in
budget

SEC. 11. In case of great necessity or emergency the governing board of any city, town, school district or high-school district, by unanimous vote, by resolution reciting the character of such necessity or emergency, may authorize a temporary loan for the purpose of meeting such necessity or emergency; *provided, however*, that before the adoption of any such emergency resolution the governing board shall publish notice of their intention to act thereon in a newspaper of general circulation for at least two publications, one week apart, and no vote may be taken upon such emergency resolution until fifteen days after the first publication of said notice. Upon the unanimous adoption by any governing board of any emergency resolution a certified copy thereof shall be forwarded to the state board of revenue, hereinafter defined, for its approval, and no such resolution shall be effective until approved by the state board of revenue, and the resolution of the said state board of revenue recorded in the minutes of the board.

Action in
cases of
emergency
or great
necessity

SEC. 12. Whenever any governing board of any city, town, school district or high-school district shall be authorized to make an emergency loan as provided for in this act they may issue as evidence thereof negotiable notes or short-time negotiable bonds. Said negotiable notes or bonds shall mature not later than two and one-half years from the date of issuance, and shall bear interest not to exceed eight per cent per annum and be redeemable at the option of such

Short-time
bonds or
notes for
emergency
loans

city, town, school district or high-school district at any time when money is available in the emergency tax fund herein-after provided.

Tax for
emergency
indebtedness

SEC. 13. It shall be the duty of every governing board of any town, city, school district or high-school district at the first tax levy following the creation of any emergency indebtedness to levy a tax sufficient to pay the same, which shall be designated "City of.....Emergency Tax," "Town of.....Emergency Tax," "School District.....Emergency Tax," ".....High-School Emergency Tax," as the case may be. The proceeds of which shall be authorized in an emergency fund in the treasury of the city or in an emergency fund in the treasury of the county, in the cases of towns, school district and high-school districts and shall be used solely for the purpose of redeeming the emergency loan for which the same is levied.

Publication
of budget
proper
charge
against
county

SEC. 14. The cost of publication of any budget or notice required of any town, school district or high-school district shall be a proper charge against the county in which the same is situated.

Provisions of
this act not
effective for
schools till
Feb. 1, 1919;
proviso

SECTION 14½. The provisions of this act with reference to school districts and high-school districts shall not be effective until February 1, 1919; *provided however*, that when any special school tax be levied a budget showing the expenditures requiring such tax shall be filed with the board of county commissioners and said tax shall be subject to equalization to conform to any increase or decrease in assessed valuation. But this act shall not be construed to prevent contracts under existing laws with teachers, principals, city superintendents or other school supervisors.

State board
of revenue
created
Certain acts
repealed

SEC. 15. The state board of revenue consisting of the governor, state controller and attorney-general is hereby created.

SEC. 16. Those certain acts entitled "An act relating to the government of towns and cities, and limiting the tax rate thereof," approved March 20, 1903; "An act to authorize the issuance of interest-bearing school warrants in emergencies, to repeal all the acts or parts of acts in conflict herewith, and other matters properly connected therewith," approved March 23, 1911; and "An act relating to county government and the reduction of the rate of county taxation," approved March 13, 1903, and all amendments to any such acts, are hereby repealed.

CHAP. 150—*An Act to amend an act entitled "An act to provide for the organization and government of drainage, irrigation, and water storage districts, to provide for the acquisition of water and other property, and for the distribution of the water thereby for irrigation purposes, and for other matters properly connected therewith," approved March 20, 1911, as amended by chapter 278 of the Statutes of Nevada of 1915, approved March 29, 1915.*

[Approved March 22, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. That section 1 of the above-entitled act, as amended by section 1 of chapter 278 of the Statutes of 1915, be amended to read as follows:

Section 1. Whenever a majority of the holders of title, or evidence of title, to lands susceptible of one mode of irrigation from a common source or combined sources, and by the same system or combined system of works, desire to provide for the irrigation of the same, or, when for drainage purposes and other reasons, they desire to organize the proposed territory into one district, or if they desire to cooperate with the United States under the federal reclamation laws for the purpose of construction of irrigation works, including drainage works, or for the purchase, extension, operation or maintenance of constructed work or for the assumption, as principal or guarantor, of indebtedness to the United States on account of district lands, they may propose the organization of an irrigation district under this act; *provided*, said holders of title, or evidence of title, shall hold such title, or evidence of title, to at least one-half part of the total area of the land in the proposed district; *provided, further*, that no person shall be a competent signer of a petition provided in this act for the formation of an "irrigation district" who is not the holder of a title or evidence of title to not less than five acres of land irrigated or susceptible of irrigation from the said common source of water supply, which shall be accessible for the purpose of the district. The equalized county assessment roll next preceding the presentation of a petition for the organization of an irrigation district shall be sufficient evidence of title for the purpose of this act, but other evidence may be received, including receipts or other evidence of rights of entrymen on land under any law of the United States or this state, and such entrymen shall be competent signers of such petition, and the land on which they have made entries shall, for the purpose of said petition, be considered as owned by them. And such entrymen shall share all the privileges and obligations of freeholders and owners of private land within the district, under the several provisions of this act, including the right to vote and hold

irrigation
districts, how
organized

Provision

U. S.
entrymen

District may have 3, 5, or 7 divisions, and 3, 5, or 7 directors office subject to the terms of the act of Congress entitled "An act to promote reclamation of arid lands," approved August 11, 1916. The petitioners may determine in said petition whether the proposed district shall be divided into three, five, or seven divisions, and whether it shall have three, five, or seven directors, but if no number is named in the petition, the board of county commissioners may determine whether the number shall be three, five, or seven.

SEC. 2. That section 3 of the above-entitled act is hereby amended to read as follows; *provided*, that the number of directors and the number of divisions of districts organized prior to the passage of this amendment shall not be altered or changed except by petition of two-thirds of the qualified electors of said district and a majority vote of the directors:

Section 3. When such petition is presented, and it shall appear that the notice of the presentation of said petition has been given as required by law, and that said petition has been signed by the requisite number of petitioners as required by this act, the commissioners shall then proceed to define the boundaries of said proposed district from said petition and from such application for the exclusion of lands therefrom and inclusion of lands therein as may be made in accordance with the provisions of this act. The said commissioners may adjourn such examination from time to time not exceeding three weeks in all and shall, by final order duly entered, define and establish the boundaries of such proposed district; *provided*, that said board shall not modify such proposed boundaries described in the petition so as to change the object of said petition or so as to exempt from the operation of this act any land within the boundaries proposed by the petition susceptible to irrigation by the same system of water-works applicable to other lands in such proposed district; *provided, also*, that contiguous lands not included in such proposed district, as described in the petition, may, upon application of the owner or owners thereof, be included in such district upon such hearing; *provided*, that in the hearing of any such petition the board of county commissioners shall disregard any informalities therein, and in case they deny the same, or dismiss it for any reasons on account of the provisions of this act not having been complied with, which are the only reasons upon which they shall have a right to refuse or dismiss the same, they shall state their reasons in writing therefor in detail, which shall be entered upon their records, and in case the reasons are not well founded, a writ of mandamus shall, upon proper application therefor, issue out of the district court of said county, compelling them to act in compliance with this act, which writ shall be heard within twenty days from the date of issuance, and which twenty days shall be excluded from the forty days given the commissioners herein to act upon said petition.

When the boundaries of any proposed district shall have been examined and defined as aforesaid, the county commissioners shall forthwith make an order allowing the prayer of said petition, defining and establishing the boundaries and designating the name of such proposed district, and also divide such district into three, five, or seven divisions, as named in the petition as nearly equal in size as may be practicable, and one director, who shall be a landholder and qualified elector in the division, shall be elected as a director, from such division, by the freeholders who are also qualified electors in the proposed district at large. No more than one person shall be elected as a director from one and the same division of such district. Thereupon the said commissioners shall by further order duly entered upon their record call an election of the landholders, who are also qualified electors of said district, to be held for the purpose of determining whether such district shall be organized under the conditions of this act, and by such order shall submit the names of one or more persons from each of the divisions of said district as herein provided, to be voted for as directors therein. Each of said divisions shall constitute an election district for the purpose of this act. Said board of county commissioners shall then give notice of such election to be held in such proposed district, which notice shall be published for three weeks prior to such election in a newspaper within the county or counties within which such proposed district lies. Such notice shall require the said electors to cast ballots which shall contain the words "Irrigation District—Yes" or "Irrigation District—No," or words equivalent thereto, and also the names of persons to be voted for to fill the various elective offices by this act provided for. For the purpose of this election above provided for, the said board of county commissioners must establish a convenient number of election precincts and polling places in said proposed districts and define the boundaries thereof, which said precincts may thereafter be changed by the board of directors of such district, and shall also appoint the judges of election for such precinct, one of whom shall act as clerk of the election.

County commissioners to make order

Each division an election district for water purposes

Concerning irrigation district elections

The officers of such district shall consist of three, five, or seven directors, as aforesaid, a secretary and a treasurer, who shall be appointed by the board of directors.

Officers of district

Any person, male or female, of the age of twenty-one years or over, whether a resident of the district or not, who is a *bona fide* holder of title or evidence of title as defined in section 1 hereof, to land situated in the district shall be entitled to vote at any election held under the provisions of this act, but at any election upon the question of a proposed bond issue, contract with the United States or any election to authorize indebtedness, each qualified voter shall be entitled to cast one vote for each dollar, or major fraction

Women entitled to vote

Vote
according to
value of
benefit or
assessment

Proviso

Elections to
be held under
general
election laws

No new
district
without
consent of
directors

thereof, of benefit or assessment apportioned to his land as shown in the apportionment of benefits under the proposed contract or bond issue as herein required to be made, filed and published prior to the election, and at any such election a member of the election board shall indorse on the ballot of each elector the number of votes to which he is entitled, and his ballot shall be counted as the number of votes so indorsed thereon. Any elector residing outside of the district owning land in the district and qualified to vote at district elections shall be considered as a resident of that division and precinct of the district in which the major portion of his lands are located for the purpose of determining his place of voting and qualifications for holding office; *provided*, that the number of directors and the number of divisions of districts organized prior to the passage of this amendment shall not be altered or changed except by petition of two-thirds of the qualified electors of said district and a majority vote of the directors.

SEC. 3. That section 4 of the above-entitled act is hereby amended so as to read as follows:

Section 4. Except as in this act otherwise provided, all such elections shall be conducted as nearly as practicable in accordance with the general election laws of this state. The said board of county commissioners shall meet on the second Monday succeeding such election and proceed to canvass the votes cast thereat, and if, upon such canvass, it appears that at least a majority of said legal electors in said district voting at such election have voted "Irrigation District—Yes" the said board shall, by an order entered on their minutes, declare such territory duly organized as an irrigation district, under the name and style theretofore designated, and shall declare the persons receiving, respectively, the highest number of votes for such several offices, to be duly elected to such office. Said board shall cause a copy of such order, including a plat of said district duly certified by the clerk of the board of county commissioners, to be immediately filed for record in the office of the county clerk of each county in which any portion of such lands are situated, and no board of county commissioners of any county, including any portion of such district, shall, after the date of organization of such district, allow another district to be formed, including any of the lands of such district, without the consent of the board of directors thereof, and from and after the date of such filing, the organization of such district shall be complete, and the officers thereof shall immediately enter upon the duties of their respective offices, upon qualifying, in accordance with the law, and shall hold such offices, respectively, until their successors are elected and have qualified.

SEC. 4. That section 5 of the above-entitled act, as

amended by chapter 278 of the Statutes of Nevada of 1915, approved March 29, 1915, is hereby amended so as to read as follows:

Section 5. The regular election of said district shall be held on the first Tuesday after the first Monday in April biennially thereafter, at which shall be elected one director by the electors of the district at large; *provided*, in districts already organized and directors have been elected in conformity with existing laws, no election shall be held until the year 1916; *provided further*, the directors elected at the organization election, heretofore held or held hereafter, shall be selected by lot, so that if there be three directors one shall hold his office for the term of two years, and two for the term of four years, but if there be five directors then two shall hold office for the term of two years, and three for the term of four years, and if there be seven directors then three shall hold office for the term of two years, and four for the term of four years, and an election shall be held in each district biennially thereafter, at which one, two, three, or four directors as may be necessary to replace the directors whose terms expire, shall be elected for a term of four years, or until their successors are elected and qualify. Such director must be a qualified elector and a freeholder of the division of the director whom he is to succeed in office. Within ten days after receiving the certificates of election hereinafter provided for, such officer shall take and subscribe to an official oath and file the same in the office of the board of directors, and execute the bond hereinafter provided for. Each member of said board of directors shall execute an official bond in the sum of seven thousand five hundred dollars (\$7,500), which said bonds shall be approved by the judge of the district court in and for said county where such organization is effected, and shall be recorded in the office of the county recorder thereof and filed with the secretary of said board. All official bonds provided for in this act shall be in the form prescribed by law; *provided*, that in case any district organized under this title is appointed fiscal agent of the United States, or by the United States is authorized to make collection of moneys for and on behalf of the United States in connection with any federal reclamation project, each such director shall execute a further and additional bond in such sum as the secretary of the interior may require, conditioned for the faithful discharge of the duties of his office, and the faithful discharge by the district of its duties as fiscal or other agent of the United States under any such appointment or authorization, and any such bond may be sued upon by the United States or any person injured by the failure of such director or the district to fully, promptly, and completely perform their respective duties.

Regular district election in April, biennially
Proviso

Various terms of directors

Qualifications of director

To take oath and give bond

Proviso

Additional bond to U. S., when

SEC. 5. That section 6 of the above-entitled act, as

amended by chapter 278 of the Statutes of Nevada of 1915, approved March 29, 1915, is hereby amended to read as follows:

Section 6. The office of the board of directors shall be located in the county where the organization was effected. Fifteen days before any election held under this act, subsequent to the organization of the district, the secretary, who shall be appointed by the board of directors, shall cause notice specifying the polling places in each election precinct to be posted in three public places in each election precinct, of the time and place of holding the election, and shall also post a general notice of the same in the office of said board, which shall be established and kept at some fixed place to be determined by said board in said county. Prior to the time for posting the notice, the board must appoint from each precinct, from the electors thereof, three judges, who shall constitute a board of election for such precinct. If the board fails to appoint a board of election, or the members appointed do not attend the opening of the polls on the morning of election, the electors of the precinct present at that hour may appoint the board, or supply the place of an absent member thereof. The board of directors must, in its order appointing the board of election, designate the hour and the place in the precinct where the election must be held. At least four weeks before any such election, said board of directors shall appoint a registrar for each precinct of the district, except the precinct in which the office of the secretary of the board is located. In the precinct in which his office is located, or where there is but one voting precinct in the district, the secretary of the district shall act as registrar. Such registrars shall be governed in the performance of their duties by the general election laws of the state as far as they are applicable, and must be at their places of registration, to receive applications for registration, from nine o'clock a. m. to nine o'clock p. m., on each of the three Saturdays next preceding the date of election. In addition to the usual elector's oath, the following shall be added: "As I am a holder of land within the boundaries of.....Irrigation District." No election for any purpose shall be held in any irrigation district without such registration, and only those persons duly registered shall be allowed to vote thereat; *provided*, said directors may include all of said district in one voting precinct.

SEC. 6. That section 7 of the above-entitled act is hereby amended so as to read as follows:

Section 7. The said judge shall elect a chairman, who may administer all oaths required in the progress of an election, and appoint judges and clerks, if during the progress of an election any judge or clerk ceases to act. Any member of the board of election, or any clerk thereof, may administer and certify oaths required to be administered

during the progress of the election. The board of election of each precinct must, before opening the polls, appoint two clerks to act as clerks of the election. Before opening the polls, each member of the board and each clerk must take and subscribe to an oath to faithfully perform the duties imposed upon them by law. Any elector of the precinct may administer and certify such oath. The time of opening and closing the polls, the manner of conducting the election, canvassing and announcing the result, the keeping of the tally-list, and the making and certifying said results, and the disposition of the ballots after election, shall be the same, as near as may be, as provided for elections under the general election law of this state; but no registrar or election officer shall receive any pay for services at any district election; *provided*, that the returns shall be delivered to the secretary of the district, and that no list, tally-paper, or certificate returns from any election, shall be set aside or rejected for want of form if it can be satisfactorily understood. The board of directors must meet at its usual place of meeting on the first Monday after each election to canvass the returns, and they shall proceed in the same manner and with like effect, as near as may be, as the board of county commissioners in canvassing the returns of general elections, and when they shall have declared the result, the secretary shall make full entries in his record in like manner as is required of the county clerk in general elections. The board of directors must declare elected the person or persons having the highest number of votes given for each office. The secretary shall immediately make out and deliver to such person or persons a certificate of election signed by him and authenticated with the seal of the board. In case of a vacancy in the office of the director, the vacancy shall be filled by appointment by the remaining members of the board from the division in which the vacancy occurred. An officer appointed to fill a vacancy, as above provided, shall hold his office until the next regular election of said district, at which election a director shall be elected for the remainder of the unexpired term.

To appoint clerks

Canvass of returns

Result declared

SEC. 7. That section 13 of the above-entitled act, as amended by chapter 278 of the Statutes of 1915, is hereby amended so as to read as follows:

Section 13. Said board shall have the power to manage and conduct the business and affairs of the district, make and execute all necessary contracts, employ and appoint such agents, officers, and employees as may be required, and prescribe their duties, and to establish equitable by-laws, rules and regulations, for the distribution and use of water among the owners of such land as may be necessary and just to secure the just and proper distribution of the same. Said by-laws, rules and regulations must be printed in convenient form for distribution throughout the district. The

Powers and duties of board of directors of water district

Powers and
duties of
board

board and its agent and employees shall have the right to enter upon any land to make surveys, and may locate the necessary irrigation works, and the lines of any canal or canals, and the necessary branches for the same, on any lands which may be deemed best for such location. Said board shall also have the right to acquire, either by purchase, condemnation, or other legal means, all lands, rights, and other property necessary for the construction, use and supply, maintenance, repair, and improvement of said canal or canals and works, including canals and works constructed and being constructed by private owners, lands for reservoirs for the storage of needful waters, and all necessary appurtenances. In case of purchase, the bonds of the district hereinafter provided for may be used to their par value in payment.

Control over
government
land, how
acquired

For the purpose of acquiring control over government land within the district, and of complying with the provisions of the aforesaid act of Congress of August 11, 1916, the board shall have authority to make such investigation, and base thereon such representations and assurances to the secretary of the interior as may be requisite. Said board may appropriate water in accordance with the law, and also construct the necessary dams, reservoirs, and works for the collection of water for said district; and do any and every lawful act necessary to be done that sufficient water may be furnished to each land owner in said district for irrigation purposes. The use of all water required for the irrigation of lands of any district formed under the provisions of this act, together with the rights of way for canals and ditches, sites for reservoirs, and all other property required to fully carry out the provisions of this act, is hereby declared to be a public use, subject to the regulations and control of the state, in the manner prescribed by law.

Board may
contract
with U. S. for
construction
and
maintenance
of works

Said board may enter into any obligation or contract with the United States for the construction, operation, and maintenance of the necessary works for the delivery and distribution of water therefrom under the provisions of the federal reclamation act and all acts amendatory thereof or supplementary thereto, and the rules and regulations established thereunder; or the board may contract with the United States for a water supply or drainage works, under any act of Congress providing for or permitting such contract, or may provide by contract with the United States for the release of mortgages or liens given or reserved to the United States upon district lands, and may provide for the assumption by the district, either as principal or guarantor, of indebtedness to the United States on account of district lands and apportion to each tract of land so released benefits in the amount of the obligations to the United States so provided to be released; and the contract between the district and the United States may provide for the collection

Benefits, how
apportioned

and payment of indebtedness so incurred or assumed by the district and the tax or assessment for the same at the same times and in the same amounts or installments provided in the federal reclamation laws, and if so provided in the contract, such taxes and assessments shall become delinquent at the same dates provided in the act of Congress of August 13, 1914 (38 Stats. 686), known as the reclamation extension act and in that event if it be provided in the contract that the United States waives any penalties for delinquency other or greater than those named in the said act of Congress of August 13, 1914, then, instead of the penalties otherwise provided in state laws, the penalties for delinquency in the payment of that part of the tax representing the special assessment for payment of the obligations of the district to the United States shall be the penalties named in the said act of Congress of August 13, 1914, and the amount required to be paid in case of any redemption from any tax sale or tax judgment shall be determined by figuring the part thereof due to the United States upon the basis of the amount of such special assessment levied for the purpose of paying the United States plus the penalties named in said act of Congress of August 13, 1914. And the said board shall have full power to do any and all things required by the federal statutes now or hereafter enacted in connection therewith, and all things required by the rules and regulations now or that may hereafter be established by any department of the federal government in regard thereto. All water, the right to the use of which is acquired by the district under any contract with the United States, shall be distributed and apportioned by the district in accordance with the acts of Congress, the regulations of the secretary of the interior, and the provisions of said contract in relation thereto, and said contract may provide that water delivery may be denied to any delinquent land owner for nonpayment of any assessment required for compliance with said contract with the United States. That any one of the several divisions of the irrigation district, desiring to secure local drains, laterals, or other structures or improvements, the benefits of which are limited to such division, may provide for the construction and operation of such local improvement in the following manner: That upon presentation to the board of directors of any irrigation district of a petition signed by a majority of the land owners of any division owning or holding title or possessory rights to at least one-fourth of the total acreage of such division, and designating two land owners of such division by the petitioners as local directors of such division, and describing in a general way the local improvements desired, the board of directors of the district shall consider such petition at a regular or special meeting, and if they find that the requirements of the law have been complied with in regard to such petition, shall

Reclamation extension act of Congress

Water distributed in accordance with acts of Congress and other regulations

Local drains and ditches, how secured

Land owners appointed appoint the two land owners designated in such petition as directors of a local board for such division, the first of such local directors named in the petition to hold office for a period of two years and the second for a period of four years, and successors to be elected by the electors of the division in like manner as the directors of the district are elected by the electors of the district. The two local directors so appointed or elected, together with the director of the district from such division, shall constitute the local board for such divisions, and may provide for the construction or operation of local drains, laterals, and other structures or improvements, the benefits of which are confined to such division, and for the purpose of the construction and operation of such local improvements and apportionment, assessment, and payment therefor, shall have all the powers that the directors of the district are authorized to exercise in regard to the construction and operation of, and payment for, district works, and shall proceed in like manner and with like effect to submit to the electors of the division the question of authority for any proposed bond issue of such division or contract between such division with the United States, and if carried by the necessary two-thirds majority of the votes cast at the election, such local board shall proceed to have such bond issue or contract judicially reviewed and confirmed in like manner as a district bond issue, and with like effect and prior to such election in like manner shall apportion the benefits thereof to the lands of the division, and certify such apportionment to the board of directors of the district, who shall report the same to the proper county officer in like manner and effect as an apportionment of benefits made by the district, and shall likewise provide for payments of the bonds or contract or the division and the interest thereon, if any, and operation and maintenance of such local works and the payment of the local board and incidental expenses in connection therewith.

Bond issue, how effected

Each member of said local board shall receive a salary of three dollars per day for the time actually employed, but should such proposed bond issue or contract with the United States for such proposed local improvement fail to receive the required majority of the votes of the division at such election, then the term of office of such local directors shall thereupon terminate and said local board be dissolved. *Provided, further*, in case contract has been or may hereafter be made with the United States as herein provided, bonds of the district may be deposited with the United States at 90 per cent of their par value, to the amount to be paid by the district to the United States under any such contract, the interest on said bonds to be provided for by assessment and levy as in the case of other bonds of the district, and regularly paid to the United States, to be applied as provided in such contracts, and if bonds of the district are not so depos-

Salaries of local board

ited it shall be the duty of the board of directors to include as part of any levy or assessment provided for in section 31, as herein amended, an amount sufficient to meet each year all payments accruing under the terms of any such contract; and the board may accept, on behalf of the district, appointment of the district as fiscal agent of the United States, or authorization of the district by the United States to make collections of moneys for or on behalf of the United States in connection with any federal reclamation project, whereupon the district shall be authorized to so act and assume the duties and liabilities incident to such action, and the said board shall have full power to do any and all things required by the federal statutes now or hereafter enacted in connection therewith, and all things required by the rules and regulations now or that may hereafter be established by any department of the federal government in regard thereto; *provided*, all water, the right to the use of which is acquired by the district under any contract with the United States, shall be distributed and apportioned by the district in accordance with the acts of Congress and the rules and regulations of the secretary of the interior, and the provisions and contract between the said district and the United States in relation thereto.

Payments must be guaranteed

SEC. 8. That section 14 of the above-entitled act is hereby amended so as to read as follows:

Section 14. The legal title to all property or rights acquired under the provisions of this act shall immediately by operation of law vest in such irrigation district and shall be held by such district in trust for, and is hereby dedicated and set apart to the uses and purposes set forth in this act. Said board is hereby authorized and empowered to hold, use, acquire, manage, occupy, and possess said property and rights as herein provided; *provided, however*, that any property acquired by the district may be conveyed to the United States in so far as the same may be needed by the United States for the construction, operation and maintenance of works for the benefit of the district under any contract which may be entered into with the United States pursuant to this act.

Legal title vests in district

Proviso

SEC. 9. That section 18 of the above-entitled act is hereby amended so as to read as follows:

Section 18. The board of directors may, at any time when in their judgment it may be advisable, call a special election and submit to the qualified electors of the district, the question whether or not a special assessment shall be levied for the purpose of raising money to be applied to any of the purposes provided in this act. Such election must be called upon the notice prescribed, and the same shall be held and the result thereof be determined and declared, in all respects in conformity with the provisions of sections 5 and 6. The notice must specify the amount of money proposed to

Special election for special assessment, when

be raised, and the purpose for which it is intended to be used. At such elections the ballots shall contain the words "Assessment—Yes," or "Assessment—No." If two-thirds or more of the votes cast are "Assessment—Yes," the board shall immediately levy an assessment sufficient to raise the amount voted. The assessment so levied shall be computed and entered on the assessment roll by the secretary of the board and collected in the same manner as other assessments provided for herein; and when collected shall be paid into the district treasury for the purpose specified in a notice of such special election.

SEC. 10. That section 23 of the above-entitled act, as amended by the aforesaid chapter 278 of the Statutes of Nevada of 1915, is hereby amended so as to read as follows:

Directors to
formulate
general plan
of operation

Section 23. As soon as practicable after the organization of any such district, the board of directors shall, by a resolution entered on its records, formulate a general plan of its proposed operation, in which it shall state what constructive works or other property it proposes to purchase and the cost of purchasing the same; and further what construction work it proposes to do and how it proposes to raise the funds for carrying out said plan. For the purpose of ascertaining the cost of any such construction work said board shall cause such surveys, examinations, and plans to be made as shall demonstrate the practicability of such plan, and furnish the proper basis for an estimate of the cost of carrying out the same. All such surveys, examinations, maps, plans, and estimates shall be made under the directions of a competent irrigation engineer and certified by him. No such surveys, examinations, or plans need be made if it is proposed to enter into contract with the United States under the federal laws. Upon receiving said report, said board of directors shall proceed to determine the amount of money necessary to be raised, and shall immediately thereafter call a special election, at which shall be submitted to the electors of said district possessing the qualifications prescribed by this act, the question whether or not the expense shall be authorized, and whether by bond issue or otherwise. Notice of such election must be given by posting notices in three public places in each election precinct in said district at least four weeks before the date of said election, and the publication thereof for the same length of time in some newspaper published in the district, and in case no paper is published in the district then in a paper published in each county in which the district, or any part thereof, is located. Such notice must specify the time of holding the election, the amount of bonds proposed to be issued, and, in case such maps and estimates have been made, it shall further state that copies thereof are on file and open for public inspection by the people of the district, at the office of said board. But if contract is proposed to be made with the United States

Special
election,
when

and bonds are not to be deposited with the United States in connection therewith, the question to be submitted at such special election is whether contracts shall be entered into with the United States. The notice of election in such case shall state the maximum amount of money proposed to be payable to the United States for construction purposes exclusive of penalties and interest. Said election must be held and the results thereof determined and declared in all respects as nearly as practicable in conformity with the provisions of this act governing the election of officers; *provided*, that no informalities in conducting such an election shall invalidate the same if the election shall have been otherwise fairly conducted. At such an election the ballot shall contain the words "....." (Question) "Yes," or "....." (Question) "No," or words equivalent thereto. If two-thirds of the votes cast are "Yes," the board of directors shall be authorized to incur the expense, and if a bond issue be authorized, shall cause bonds in said amounts to be issued, and if a contract with the United States be authorized, the board shall negotiate and execute a contract calling for payment not exceeding the amount voted upon; if more than one-third of the votes cast at any bond election are "No," the result of such election shall be so declared and entered of record. And whenever thereafter said board, in its judgment, deems it for the best interest of the district that the question of the issuance of bonds in said amounts, or any other amounts, shall be submitted to the electors it shall so declare of record in its minutes, and may thereupon submit such questions to said electors in the same manner and with like effect as at such previous elections, but no question shall be resubmitted to the electors within one year after the same has been voted upon and rejected; *provided further*, that said elections may authorize the assessment of all lands in the district based upon benefits by the irrigation plan or scheme as herein provided, and provide for the payment of such assessments by annual payments or at such times as may seem fit, each tract of land assessed being liable for its proportion on the benefit basis and for no further amount.

Ballot to contain question

Assessments may be based upon benefits

SEC. 11. That section 24 of the above-entitled act, as amended by the aforesaid chapter 278 of the Statutes of Nevada of 1915, is hereby amended so as to read as follows:

Section 24. The bonds authorized by any vote shall be designated as a series, and the series shall be numbered consecutively as authorized. The portion of the bonds of the series sold at any time shall be designated as an issue, and each issue shall be numbered in its order. The bonds of such issue shall be numbered consecutively commencing with those earliest falling due, and they shall be designated as eleven-year bonds, twelve-year bonds, etc. They shall be negotiable in form, and payable in money of the United

Issue of bonds, regulations concerning

Proportion
of bonds
redeemable
at various
periods

Denomina-
tion of bonds

Officers to
keep record
of bonds

Proviso

Taxes a prior
lien

States as follows, to wit: At the expiration of eleven years from each issue, five per cent of the whole number of bonds of such issue; at the expiration of twelve years, six per cent; at the expiration of thirteen years, seven per cent; at the expiration of fourteen years, eight per cent; at the expiration of fifteen years, nine per cent; at the expiration of sixteen years, ten per cent; at the expiration of seventeen years, eleven per cent; at the expiration of eighteen years, thirteen per cent; at the expiration of nineteen years, fifteen per cent; at the expiration of twenty years, sixteen per cent; *provided*, that such percentages may be changed sufficiently so that every bond shall be in an amount of one hundred dollars, or a multiple thereof, and the above provisions shall not be construed to require any single bond to fall due in partial payments. Interest coupons shall be attached thereto, and all bonds and coupons shall be dated on January 1, or July 1, next following the date of their authorization, and they shall bear interest at the rate of not to exceed six per cent per annum, payable semiannually on the first day of January and July of each year. The principal and interest shall be payable at the place designated therein. Said bonds shall be each of a denomination of not less than one hundred dollars, nor more than one thousand dollars, and shall be signed by the president and secretary, and the seal of the board of directors shall be affixed thereto. Coupons attached to each bond shall be signed by the secretary. Said bonds shall express on their face that they were issued by the authority of this act, naming it, and shall also state the number of the issue of which said bonds are a part. The secretary and the treasurer shall each keep a record of the bonds sold, their number, the date of sale, the price received, and the name of the purchaser. In case the money raised by the sale of all the bonds be insufficient for the completion of the plans and works adopted, and additional bonds be not voted, it shall be the duty of the board of directors to provide for the completion of said plan by levy of assessment therefor, in the manner hereinafter provided; *provided further*, that when the money provided by any previous issue of bonds has become exhausted by expenditures herein authorized therefor, and it becomes necessary to raise additional money for such purpose, additional bonds may be issued, submitting the question at a general election to the qualified voters of said district, otherwise complying with the provisions of this section in respect to an original issue of said bonds; *provided also*, the lien for taxes for the payment of interest and principal or of any bond issue, or for the payment of moneys to the United States under contract by the district, shall be a prior lien to that of any subsequent bond issue, or to that under any subsequent contract with the United States; *provided further*, that the time for the issuance and maturity of the bonds and the manner of their payment may

be otherwise determined and directed, if submitted to a vote, by the electors of said district at the election authorizing the said bonds; *provided further*, that the contract with the United States, if any, may provide for such installments and for repayment of the principal at such times as may be required by the federal laws and may be agreed upon between the board and the secretary of the interior and the bonds securing the payment of the same, if any be issued and deposited, may be in like terms and of such denominations as may be agreed upon.

SEC. 12. That section 25 of the above-entitled act shall be amended so to read as follows:

Section 25. That prior to any election to authorize an issue of bonds, or a contract with the United States, as herein-before provided, the board of directors shall examine each tract or legal subdivision of land in the said district, and shall determine the benefits which will accrue to each of such tracts or subdivisions from the construction or purchase of such irrigation works; and the cost of such work shall be apportioned or distributed over such tracts or subdivisions of land in proportion to such benefits, and the amounts so apportioned or distributed to each of said tracts or subdivisions shall be and remain the basis for fixing the annual assessments levied against such tracts or subdivisions in carrying out the purposes of this act; *provided*, that if contract be made with the United States to provide for release of liens to the United States, the benefits apportioned to each tract of land shall be in proportion to the amount of the obligation to the United States released, as provided in section 13 hereof. And if any lands within such district shall not be released from any lien, then the benefits shall be apportioned and distributed in proportion to benefits accruing thereto in accordance with the federal acts of Congress, public notices and regulations and the contracts between the districts and the United States. And prior to such election such board of directors shall make, or cause to be made, a list of such apportionment or distribution, which list shall contain a complete description of each subdivision or tract of land of such district and the amount and rate per acre of such apportionment or distribution of cost, and the name of the owner thereof; or they may prepare a map on a convenient scale showing each of said subdivisions or tracts with the rate per acre of such apportionment entered thereon; *provided*, that where all lands on any map or section of a map are assessed at the same rate a general statement to that effect shall be sufficient. Said list or map shall be made in duplicate, and one copy of each shall be filed in the office of the state engineer, and one copy shall remain in the office of said board of directors for public inspection, and at least thirty days prior to any such election the secretary of the district shall publish a notice in a newspaper

Proviso

Board to determine benefits and fix basis of annual assessments

Proviso

Directors to make list of apportionment

Notice to be
published

published in the county where the office of the district is located, or if there be no such newspaper then in some newspaper in general circulation in such county, stating that the list or map showing such apportionment of benefits has been duly filed in the office of the district for public inspection, and shall file a copy of such list or map at each election precinct for the use of the election officers. Whenever thereafter an assessment is made, either in lieu of bonds, or an annual assessment for raising the interest on bonds, or any portion of the principals, or the expenses of maintaining the property of the district, or any special assessment voted by the electors, it shall be spread upon the lands, in the same proportion as the assessment of benefits, and the whole amount of the assessment of benefits shall equal the amount of bonds or other obligations authorized at the election last above mentioned.

SEC. 13. Section 27 of the aforesaid act shall be amended so as to read as follows:

Petition to
court for
approval of
proceedings

Section 27. The board of directors of the irrigation district shall file with the clerk of the district court in and for the county in which his office is situated a petition, praying in effect that the proceedings aforesaid may be examined, approved, and confirmed by the court. The petition shall state generally that the irrigation district was duly organized and the first board of directors elected, that due and lawful proceedings were taken to issue bonds in an amount to be stated, or that lawful proceedings were taken for the execution of a contract with the United States, as the case may be, and that said assessment, list and apportionment were duly made and a copy of said assessment, list and apportionment shall be attached to said petition, but the petition need not state other facts showing such proceedings; *provided*, that after the organization of the district is complete, a petition may be filed for the confirmation of the proceedings so far, or after the authorization of any issue of bonds, or after the execution of contract with the United States, such petition may be so filed, and where the procedure is by separate petitions for the confirmation of different portions of said proceedings, subsequent proceedings may be in the name of reopening of the same case, but shall not be considered as authorizing any rehearing of the matter theretofore heard and decided.

Provided

SEC. 14. That section 29 of the aforesaid act is hereby amended so as to read as follows:

Court to
examine
proceedings
and may
ratify same

Section 29. Upon the hearing of such special proceedings, the court shall examine all the proceedings set up in the petition, may ratify, approve, and confirm the same, or any part thereof, and in case of a petition to confirm said assessment, list, apportionment, and distribution, the courts shall hear all objections either filed in said proceedings or brought up in the hearing before the board of directors as

aforesaid, and for that purpose any person desiring to be heard upon objections overruled by the board of directors, shall state substance of such objections and the rulings of the board in his answer, and if the proceedings relate to the authorization of contract with the United States the court may examine the proceedings for the authorization thereof and the validity of such contract and may approve and confirm the same. The court shall disregard every error, irregularity, or omission which does not affect the substantial right of the party, and if the court shall find that said assessments, list, and apportionment are in any substantial matter erroneous or unjust, the same shall not be returned to said board, but the court proceed to correct the same so as to conform to this act, and the rights of all parties in the premises, and the final order or decree of the court may approve and confirm such proceedings in part; and in case the proceedings for organization of the district and the issue of bonds are approved, the court shall correct all the errors in the assessment, apportionment, and distribution of costs as above provided, and render the final decree approving and confirming all of the said proceedings. In case of the approval of the organization of the district and the disapproval of the proceedings for issuing bonds, the district shall have the right to institute further proceedings for the issuance of bonds *de novo*. The cost of the special proceedings may be allowed and apportioned among the parties thereto in the discretion of the court.

Court shall disregard trivial errors

Final decree, when

SEC. 15. That section 50 of the aforesaid act is hereby amended so as to read as follows:

Section 50. A guardian, executor, or an administrator of an estate, who is appointed as such under the laws of this state, and who as such guardian, executor, or administrator is entitled to the possession of the lands, belonging to the estate which he represents, may, upon being thereinto authorized by the proper court, on behalf of his ward, or the estate which he represents, sign and acknowledge all petitions mentioned in this act, and the secretary of the interior or his duly authorized representative may on behalf of the United States sign a petition for the annexation of adjacent unentered public lands of the United States, but he shall not sign any petition for the organization of any district.

Guardian or executor may act for ward or estate

SEC. 16. The above-entitled act is hereby amended by adding a section (No. 71) as follows:

Section 71. A guardian, executor or administrator shall be considered as the owner of the land held by him as such guardian, executor or administrator, and shall have the right to sign petitions, vote and do all other things that any person may or can do under this act. Corporations and copartnerships holding land in the district shall be considered as persons entitled to exercise all the right of natural

Guardian or executor considered owner, when

Corporations
and
copartner-
ships
considered
natural
persons

persons, and the president of the corporation or other person duly authorized by the president or vice-president may sign any petition authorized by this act or cast the vote of the corporation at any district election.

CHAP. 151—*An Act regulating the sale or exchange, for human consumption, of butter and ice-cream; defining the same as "wholesome" or "impure"; making it unlawful to sell or exchange, or offer for sale or exchange, impure butter or ice-cream, and providing penalty therefor; providing for the inspection and determination of butter and ice-cream as "wholesome" or "impure" by the department of food and drug control, and for other purposes.*

[Approved March 23, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Definition of
"whole-
some,"
"impure,"
and
"Pasteur-
ized" butter
or ice-cream

SECTION 1. For the purposes of this act butter and ice-cream shall be classified as "wholesome" or "impure." Wholesome butter or ice-cream is hereby defined to be butter or ice-cream made from cream and milk wherein the entire procedure from dairy to creamery, or other place of manufacture, of such product or products, is conducted under sanitary conditions; and wherein the milk or cream has either been produced by cows all of which have been duly certified by some reputable veterinarian as free from tuberculosis, or, if not so certified, wherein such milk or cream has been pasteurized as hereinafter prescribed. "Impure" butter or ice-cream is hereby defined to be all butter or ice-cream other than that which is "wholesome" as above defined. "Pasteurized" milk or cream, within the meaning of this act, shall be construed to be milk or cream which has been pasteurized by the holding process at a temperature of not less than 140 degrees Fahrenheit for 25 minutes, or the continuous flash process at a continuous temperature of not less than 170 degrees Fahrenheit, and which has not thereafter been exposed to recontamination. Pasteurizing plants shall be equipped with a self-registering device for record of the time and temperature of pasteurizing. Such record shall be kept for two months and be available for inspection by any health officer or person charged with the enforcement of this act.

Records kept

Impure
butter or
ice-cream
prohibited

Regulations
regarding
imported
butter

SEC. 2. It shall be unlawful for any person, firm or corporation to sell or exchange, or offer or expose for sale or exchange for human consumption, any impure butter or ice-cream. Imported butter from states having similar laws, if made by creameries, dairies or farms recognized by the authorities of such states as manufacturing wholesome butter, and imported pasteurized butter from states not having similar laws, but the makers of which shall have satisfied the

department of food and drug control that such butter conforms to the requirements of this act, shall be regarded as wholesome if offered for sale or exchange in this state. All other imported butter shall be deemed impure. Any person, firm or corporation violating the provisions of this section shall be deemed guilty, for the first offense, of a misdemeanor, and for any subsequent offense, of a gross misdemeanor, and upon conviction shall be punished as now provided by law for such offenses. From and after the date on which this section goes into effect all impure butter and ice-cream offered for sale or exchange, for human consumption, shall be subject to confiscation by the police authorities and destroyed.

When
confiscated

SEC. 3. The inspection of butter and ice-cream under the provisions of this act, and the determination of the same as wholesome or impure, are hereby made duties of the department of food and drug control, public service division, University of Nevada, and which said department is hereby given all necessary authority and power for such inspection and determination and may employ such inspectors or agents therefor as may be needful within any appropriation for such purposes provided. On complaint by such department of the violation of section two of this act by any person, firm or corporation it shall be the duty of the district attorney of the county in which such violation is alleged to have occurred to institute criminal proceedings against the party or parties complained of and to prosecute the same in the proper courts.

Inspection
under food
and drug
division of
University of
Nevada

District
attorney to
prosecute,
when

SEC. 4. Such department of food and drug control is hereby authorized and empowered to make and enforce such reasonable rules and regulations, within the meaning and purposes of this act, as may be needful in its administration, and which may include the sanitary production, care and handling of milk and cream used in the making of butter or ice-cream; *provided*, that such last-mentioned rules and regulations shall first be approved by the director of the agricultural extension division, University of Nevada. Said department, prior to June 1 next after passage of this act, shall supply local dealers in butter and ice-cream with a list, classified as makers of wholesome or impure butter or ice-cream, of persons, firms and creameries commonly supplying butter and ice-cream for local consumption, and from time to time thereafter shall supply such dealers with additions to, or alterations in, such classifications.

Food and
drug control
department
to make and
enforce
regulations

SEC. 5. The provisions of this act shall not apply where the butter or ice-cream is retailed by the maker in quantities not exceeding two hundred and fifty pounds per month.

Small
dealers
exempt

SEC. 6. Section two of this act shall take effect July 1, 1917; all other sections of this act shall take effect immediately upon its approval. _____

When in
effect

CHAP. 152—*An Act to make uniform the law of acknowledgments to deeds or other instruments taken outside the United States.* [Approved March 23, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. All deeds or other instruments requiring acknowledgment, if acknowledged without the United States, shall be acknowledged before an ambassador, minister, envoy or charge d'affaires of the United States, in the country to which he is accredited, or before one of the following officers commissioned or credited to act at the place where the acknowledgment is taken, and having an official seal, viz: Any consular officer of the United States; a notary public; or a commissioner or other agent of this state having power to take acknowledgments to deeds.

How deeds, etc., shall be acknowledged in foreign countries

SEC. 2. Every certificate of acknowledgment made without the United States shall contain the name or names of the person or persons making the acknowledgment, the date when and place where made, a statement of the fact that the person or persons making the acknowledgment knew the contents of the instrument and acknowledged the same to be his, her or their act; the certificate shall also contain the name of the person before whom made, his official title, and be sealed with his official seal and may be substantially in the following form:

What certificate shall contain

Form of certificate
(Name of Country).
(Name of city, province or other political subdivision).

Before the undersigned,(naming the officer and designating his official title), duly commissioned (or appointed) and qualified, this day personally appeared at place above named.....(naming the person or persons acknowledging), who declared that he (she or they) knew the contents of the foregoing instrument, and acknowledged the same to be his (her or their) act.

Witness my hand and official seal this.....day of....., 19..... (Name of officer),
 (SEAL)(Official title).

When the seal affixed shall contain the name or the official style of the officer, any error in stating, or failure to state otherwise the name or the official style of the officer, shall not render the certificate defective.

Seal to validate

SEC. 3. A certificate of acknowledgment of a deed or other instrument acknowledged without the United States before any officer mentioned in section 1 shall also be valid if in the same form as now is or hereafter may be required by law, for an acknowledgment within this state.

Present form legal

CHAP. 153—*An Act to authorize the board of county commissioners of the county of Humboldt, State of Nevada, to allow the appointment of a deputy or deputies by the county assessor of said county under certain circumstances and fixing their compensation.*

[Approved March 28, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the passage of this act the board of county commissioners of the county of Humboldt, State of Nevada, when said board shall deem it necessary, shall allow the county treasurer and the county assessor of said county to appoint a deputy or deputies for said office, who shall serve as long as said necessity shall continue, and said deputy or deputies shall be paid out of the general fund of said county at a rate of not to exceed one hundred and twenty-five (\$125) per month.

County treasurer and county assessor of Humboldt to have deputies

Salary limited \$125 per month

SEC. 2. All acts and parts of acts in conflict herewith are hereby repealed.

Repeal

CHAP. 154—*An Act fixing the compensation of the county commissioners of Humboldt County, Nevada, and repealing all acts and parts of acts in conflict herewith.*

[Approved March 28, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the enactment hereof the county commissioner of Humboldt County, Nevada, residing at the county-seat of said county, shall receive as compensation for his services the sum of one thousand dollars per annum, and the other two county commissioners of Humboldt County, Nevada, shall each receive as compensation for their services the sum of nine hundred dollars per annum.

Salary of county commissioners of Humboldt—\$1,000 and \$900

SEC. 2. Each member of the board of county commissioners of Humboldt County, Nevada, shall receive in addition to such salary twenty cents per mile for each mile necessarily traveled in going to and returning from the county-seat to attend any session of such board; and shall receive his actual necessary expenses while actually engaged in inspecting public roads, public buildings and other public improvements and while otherwise actually and necessarily engaged in traveling from place to place in performing their official duties.

Mileage and necessary expenses, when

SEC. 3. Such salary, mileage and expense shall be paid monthly as salaries of other county officers are now paid.

Payable monthly

Compensation named covers all

SEC. 4. Such compensation shall be in lieu of all other compensations now allowed by law to such county commissioners.

Repeal

SEC. 5. All acts and parts of acts in conflict herewith are hereby repealed.

CHAP. 155—*An Act regulating the nomination of candidates for public office in the State of Nevada.*

[Approved March 28, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Primary election law

SECTION 1. The words and phrases of this act shall, unless such construction be inconsistent with the context, be construed as follows:

Words and phrases defined and construed

(a) The words "November election," the regular general election for the election of state and county officers held on the first Tuesday after the first Monday in November of each even-numbered year.

(b) The words "primary" and "primary election" shall mean the election on the first Tuesday of September at which candidates are nominated for the November election.

(c) The words "judicial officers," any justice of the supreme court, any judge of a district court, or any justice of the peace; and the words "judicial office," the office filled by any judicial officer.

(d) The words "school officer," the state superintendent of public instruction, the regents of the University of Nevada, members of county boards of education, school trustees, and high-school trustees, and the words "school office," any office filled by any school officer.

(e) The words "township officer," the constable, and the words "township office," any office filled by such officer.

(f) The word "precinct" shall mean a district established under the law within which qualified electors vote at one polling place.

(g) A political party is an organization of voters qualified to participate in a primary election in either of the two following ways:

First—Any organization of electors which, under a common name or designation at the last preceding November election, polled for any of its candidates equivalent of three per cent of the total vote cast for representative in Congress.

Second—Any organization of electors which, under a common name or designation, shall file a petition signed by qualified electors equal in number to at least three per cent of the entire vote cast at the last preceding November election for representative in Congress declaring that they represent a political party or principle, the name of which shall be stated, and that they desire to participate and nominate officers by primary. Said petition may also contain the

platform of the party and shall be filed at least sixty days prior to the day of the primary. The names of the electors so petitioning need not all be on one petition, but may be in one or more petitions; but each petition shall be verified by at least one signer thereof to the effect that the signers are qualified electors of the state according to his best information and belief.

(h) This statute shall be liberally construed, so that the real will of the electors shall not be defeated by any informality or failure to comply with all provisions of law in respect to either the giving of any notice or the conducting of the primary election or certifying the results thereof. Act to be liberally construed

SEC. 2. All candidates for elective public office shall be nominated as follows:

(1) Candidates of a political party as defined by the preceding section shall be nominated at the primary election held in accordance with the provisions of this act. How candidates are nominated

(2) All other candidates for public office shall be nominated as hereinafter in this act provided.

This act shall not apply to special elections to fill vacancies, nor to the nomination of the officers of incorporated cities, nor to the nomination of officers for reclamation and irrigation districts; nor shall it be construed as restricting or affecting the rights of political parties to hold, under existing laws, which are hereby continued in force for all such purposes, primaries and conventions for the selection of delegates to national conventions. Act does not apply to elections to fill vacancies, or to incorporated cities, or delegates to national conventions

SEC. 3. The September primary election shall be held in each precinct on the first Tuesday in September for the nomination of all party candidates to be voted for at the ensuing November election. September primary election

SEC. 4. All judicial offices and all school offices are hereby designated as nonpartisan offices, and the names of candidates for nonpartisan offices shall appear alike on the ballots of each political party without any party designation or party name thereafter. Nonpartisan offices

(1) At least sixty days before the time for holding the September primary election in 1918, and biennially thereafter, the secretary of state shall prepare and transmit to each county clerk a notice in writing designating the offices for which candidates are to be nominated at such primary election. Secretary of state to send list to county clerks

(2) Within ten days after receipt of such notice such county clerk shall publish so much thereof as may be applicable to his county, once in a newspaper published in such county. Clerk to publish notice

SEC. 5. The name of no candidate shall be printed on an official ballot to be used at a primary election, unless he shall qualify by filing a declaration of candidacy, or by an acceptance of a nomination and by paying a fee as provided in this act. Candidate must file declaration of candidacy

(a) Every candidate for nomination for any elective office not less than thirty days prior to the primary shall file a declaration or acceptance of candidacy in substantially the following form:

Form of
declaration

Nomination Paper of....., for the
Office of.....
State of Nevada, }
County of..... } ss.

For the purpose of having my name placed on the official primary ballot as a candidate for nomination by the..... party as its candidate for the office of....., I, the undersigned....., do solemnly swear (or affirm) that I reside at No.....,street, in the city (or town) of....., County of....., State of Nevada, and that I am a qualified elector of the election precinct in which I reside; that I am a member of the..... party; that I believe in and intend to support the principles and policies of such political party in the coming election; that I affiliated with such party at the last general election of this state, and I voted for a majority of the candidates of such party at the last general election (or did not vote at such general election, giving reasons); that I intend to vote for a majority of the candidates of said party at the ensuing election for which I seek to be a candidate; that if nominated as a candidate of said..... party at said ensuing election I will accept such nomination and not withdraw; that I will not knowingly violate any election law or any law defining and prohibiting corrupt and fraudulent practice in campaigns and elections in this state; and that I will qualify for said office if elected thereto.

.....(Signature of candidate for office.)

Subscribed and sworn to before me this.....day of....., 19....Notary public (or other officer authorized to administer an oath). *Provided*, that no candidate for a judicial office or a school office shall certify as to his party affiliations, and the names of such candidates shall be printed on the ballots of all parties under the heading of "nonpartisan candidates" for the respective offices.

Nonpartisan
candidates

Ten qualified
electors may
file
designation
of
nomination
of any
elector

(b) Ten qualified electors may, not more than sixty nor less than forty days prior to the September primary, file a designation of nomination designating any qualified elector as a candidate for the nomination for any elective office. When such designation shall have been filed it shall be the duty of the officer in whose office it is filed, to notify the elector named in such designation thereof. If the elector named in the designation shall, not less than thirty-five days prior to the primary, file an acceptance of such nomination and pay the required fee, he shall be a candidate before the primary in like manner as if he had filed a declaration of

candidacy. If any such designation of nomination shall relate to a judicial or school office it may be signed by electors of any or all parties, but if it shall relate to any other office the signers shall all be of the same political party as the candidate so designated. The acceptance shall be in a form similar to that used by a candidate who files a declaration of candidacy. Regulations

SEC. 6. The declaration of candidacy, the designation of nomination and the acceptance of nominations shall be filed as follows: Where papers must be filed

First—For United State senate, representative in Congress, state offices, and all other offices whose districts comprise more than one county, with the secretary of state. State offices

Second—For district offices voted for wholly within one county, state senators, assemblymen, county, and township officers, with the county clerk. County offices

SEC. 7. Any candidate filing a nomination paper as provided in section 5 shall pay to the filing officer a fee for such filing as follows: Fees for filing

If a candidate for nomination for any state office, or representative or United States senator in Congress, one hundred dollars.

If a candidate for any district office, fifty dollars.

If a candidate for any county office, twenty-five dollars.

If a candidate for state senator, twenty-five dollars.

If a candidate for assemblyman, twelve dollars and fifty cents.

If a candidate for justice of the peace, constable or other town or township office, ten dollars.

No filing fee shall be required from a candidate for an office the holder of which receives no compensation. No fee for office without salary

SEC. 8. The county clerk shall immediately pay to the county treasurer all fees received from candidates. Immediately after the last day for filing nomination papers the secretary of state shall pay to the state treasurer all fees received from candidates, and shall apportion the fees paid to him by each candidate equally among the counties within which such candidate is to be voted for and certify such apportionment to the state controller, who shall issue warrants on the state treasurer for the amount due each county, and the state treasurer shall pay the same. Disposition of filing fees

SEC. 9. The expense of providing all ballots, blanks, and other supplies to be used at any primary election provided for by this act, all expenses necessarily incurred in the preparation for or the conduct of such primary election, shall be paid out of the treasury of the county or state, as the case may be, in the same manner, with like effect, and by the same officers as in the case of an election. All primary expenses a public charge

SEC. 10. At least thirty days before any September primary election preceding a November election the secretary of state shall transmit to each county clerk of any county a

Secretary of state to notify county clerks regarding primary candidates

certified list containing the names and postoffice address of each person for whom nomination papers have been filed in the office of such secretary of state, and who is entitled to be voted for in such county at such primary election, together with a designation of the office for which such person is a candidate and of the party or principles he represents; *provided*, that there shall be no party designation for candidates for judicial or school offices.

Notice of primary election by county clerks

SEC. 11. Immediately upon receipt by the county clerk of the certified list of nominees from the secretary of state, as provided in the preceding section, the county clerk shall forthwith publish a notice of primary election, which notice shall be, in substance, as follows:

Form of notice

Notice is hereby given that on the first Tuesday, the..... day of September next, party primaries of the..... parties will be held for the nomination of party candidates of said parties for the following offices: (Naming the offices). At the same time and in the same primary nominations will be made of nonpartisan, judicial and school officers as follows: (Naming the offices). The polls will open at 8 a. m. and continue open until 6 p. m. of the same day. The polling place (or places) is..... (Description and location of polling place.)

....., County Clerk.

Polling places to be named in cities

The foregoing notice shall name only the political parties in which there is a contest for nomination, and shall designate only the polling place for the respective precincts; *provided*, that in towns or cities which have more than one polling place the notice shall show the location and description of each.

Notice to registry agents

The county clerk shall forward to each registry agent within the county three written or printed notices for each precinct or voting district, and it shall be the duty of the respective registry agents to whom such notices shall be delivered to post the same in three of the most public places in each precinct or voting district at least fifteen days prior to the date of the primary.

Notice must be published in newspaper

Said county clerk shall cause a notice in similar form and substance, eliminating his descriptions of the polling places, to be published in a newspaper of general circulation, published in the county, once a week for two successive weeks prior to said primary.

Separate ballots for each party and nonpartisan candidates on paper furnished by secretary of state

SEC. 12. All voting at primaries shall be by ballot. A separate official ballot for each party and for nonpartisan voters shall be printed and provided for use in each precinct, but such ballots must be alike in the designation of nonpartisan candidates. It shall be the duty of the county clerk of each county to provide such official printed ballots to be used at the primary. Such official ballots shall be printed on official paper furnished by the secretary of state in the manner provided in the general election laws. The names of all

candidates who have filed the prescribed declarations or acceptance of candidacy, shall be printed thereon.

(a) Official primary ballots shall be not less than twelve inches wide, and enough wider to conform to the requirements of the following provisions of this section, and as long as the herein prescribed captions, headings, party designations, directions to voters, and lists of names of candidates, properly subdivided according to the several offices to be filled, may require.

Size of
ballots
prescribed

(b) Across the top of the ballot shall be printed in black-faced capital type, not smaller than forty-eight point, the words: "Official Primary Ballot." Beneath this shall be printed in not smaller than eighteen-point type the name of the party, or "Nonpartisan Ballot," and beneath this the name of the county and precinct, wherein such ballot is to be used, together with the date of such primary.

Specifica-
tions as to
type, etc.

(c) At least three-eighths of an inch below the name of the county and precinct, as aforesaid, and the date of the primary, shall be printed in ten-point black-face type, double-leaded, the following: "Instructions to Voters: To vote for a candidate make a cross (X) in the square at the right of the name of the person for whom you desire to vote."

Vote marked
in square

(d) The "Instructions to Voters" shall be separated from the lists of candidates and the designation of the several offices for which nominations are to be made by one light and heavy line or rule.

(e) The names of the candidates shall be grouped according to the office for which they are candidates and the names in each group shall be placed with the surnames first and arranged alphabetically and each group shall be preceded by the designation of the office for which the candidates seek nomination, and the words "Vote for one" or "Vote for two" or more, according to the number to be nominated. Such designation of the offices for which nominations are to be made and of the number of candidates to be nominated shall be printed in heavy-faced type, not smaller than eight-point. The word or words designating the office shall be printed flush with the left-hand margin, and the words "Vote for one" or "Vote for two" or more, as the case may be, shall extend to the extreme right of the column and over the voting square. The designation of the office and the directions for voting shall be separated from the names of the candidates by a light line.

Names of
candidates,
how
grouped;
surnames
first

(f) The names of the candidates shall appear on the ballot in heavy-faced capital type not smaller than eight-point, between lines or rules three-eighths of an inch apart. To the right of the names of the candidates shall be printed a light line or rule so as to form a voting space at least three-eighths of an inch on each side.

Names in
type not
smaller than
8-point

Each group of names of candidates shall be separated from the succeeding group by one light and one heavy line or rule.

(g) All voting at the primary under the laws of this state shall be by ballot and the respective tickets of all political parties shall be printed on separate ballots, and the election officers shall not deliver any ballot to any elector other than the ballot containing the ticket of the party to which he belongs, as shown by the register; *provided*, that ballots showing names of nonpartisan candidates only, shall be furnished to voters who have registered for the primary without declaring any party affiliations.

(h) Where there is no party contest for any office the name of the candidate for party nomination shall be omitted from the ballot and shall be certified by the proper officer as a nominee of his party for such office.

(i) The county clerk shall determine the size and shape of the ballot in such a way as to conform to the provisions of this act, using two, three, four, or five columns as shall be most convenient. Party ballots shall have an extra heavy black vertical line between the column or columns on the left in which the names of candidates for party offices are printed and the column or columns on the right in which the names of candidates for nonpartisan offices are printed.

(j) In addition to the party ballots provided for in this section, the county clerk shall prepare and have printed a "Nonpartisan Primary Ballot," which shall be the same, except as to size thereof, as the other official primary ballots; *provided*, that the names of all party candidates shall be omitted therefrom.

SEC. 13. Not less than twenty-five days before the September primary each county clerk shall prepare sample ballots for such primary which sample ballots may be smaller in dimensions, but shall be otherwise exact copies of the official ballot to be used at the primary. Such sample ballots shall be conspicuously marked with the words "Sample Ballot."

Such county clerk shall forthwith mail five copies of said sample ballot to each candidate who has filed with him a declaration or acceptance of candidacy and one copy to each candidate whose name has been certified to him by the secretary of state, to the postoffice address as given in such declaration, acceptance or certification, and shall post a copy of said sample ballot in a conspicuous place in his office, and shall mail to each registry agent one sample ballot for every four registered voters in such precinct.

On the fifteenth day before any primary the county clerk shall correct any errors or omissions in the official ballot and shall cause the same to be printed as provided in this act and shall cause the same to be furnished to the various precinct election officers in the manner provided by law for the distribution of ballots for the November election; *provided*, that the number of ballots furnished to each precinct shall be for each political party a number in the proportion

Voters to receive no ballot other than their own party ballot

Nonpartisan ballots

No name printed where there is no contest

County clerk to determine size and shape of ballot

Nonpartisan primary ballot

Sample ballots; may be smaller in dimension

County clerk to mail sample ballots; to post in his office

County clerk to have ballots printed

of one hundred and ten ballots for each one hundred electors registered in such party; and the same ratio of non-partisan ballots for electors who have registered for the primary without designating any party affiliation; *and provided further*, that he shall furnish to each precinct for each party and the nonpartisan voters a number of ballots greater by five than the number of voters registered in each class in the precinct. He shall also furnish to the election officers of each precinct sample ballots of each class, equal in number to one-fourth of the official ballots.

Number proportioned to voters registered

Sample ballots for each precinct

SEC. 14. The officers of primary elections shall be the same as provided by law for general elections, and such officers shall receive the same compensation for their services at primary elections as provided by law for general elections. It shall be the duty of the proper officers to furnish certified copies of the official register, together with the check-list for the election district, to one of the inspectors of election as now provided by law.

Officers at primary same as general election: same compensation

SEC. 15. That the qualifications and regulations of voters at primary elections shall be subject to the same tests and governed by the same provisions of law and rules and regulations as are now prescribed by law for other elections, and the same officers who prepare and furnish registers for general elections shall prepare and furnish them for use at primary elections, and it shall be the duty of the proper officers to furnish a certified copy of the register for use at primary elections, which said register shall show the names of all voters entitled to vote at such elections. Said register shall be made by taking the names of all voters on the register on the fifteenth day preceding the primary election. Said registry agent shall be paid ten cents per name for certified copies of the register for use at the primary election.

General election laws to govern

10 cents per name for registry agent

SEC. 16. Any elector desiring to vote at any primary election shall give his name and address to the ballot clerk who shall immediately announce the same, but no ballot shall be delivered to any elector except such as has the right to vote as herein provided; such elector's right to vote may be challenged by any elector upon any of the grounds now allowed by law for a challenge of a right to vote at any general election, and upon the additional grounds that such elector has not registered, or his name does not appear upon the register as required by law, or that he does not belong to the political party designated upon the register, or that the register does not show that he designated his politics or the political party to which he belongs. All challenges shall be disposed of in the same manner as provided by law for general elections. The voter shall be instructed, if necessary, by a member of the board as to the proper method of marking and folding his ballots and he shall then retire to an unoccupied booth and without delay stamp the same with a rubber stamp provided for that purpose. If he shall spoil or deface a ballot

Mode of voting at primary election

Challenge

Voter to use rubber stamp

he shall at once return the same to the ballot clerk, who shall cancel the same and deliver to him another ballot.

Elector must
specify party
affiliation;
exception

No elector shall be entitled to vote a party ballot at primary elections unless he has theretofore designated to the registry agents his politics or political party to which he belongs and has caused the same to be entered upon the register by such registry agents; *provided, however*, that no elector shall be denied the right to vote a nonpartisan ballot for judicial and school offices at such primaries.

Ballot to be
stamped in
square

SEC. 17. The voter shall designate his choice on the ballot of candidates of his party by stamping a cross (X) in the small square opposite the name of each candidate for whom he desires to vote. If he shall stamp more names than there are candidates to be nominated for any office, or if for any reason it is impossible to determine his choice for any office, his ballot shall not be counted for such office, but the rest of his ballot, if properly stamped, shall be counted.

Technical
error not to
invalidate
ballot

No ballot shall be rejected for any technical error which does not render it impossible to determine the voter's choice for candidates, nor even though such ballot be somewhat soiled or defaced.

Ballot shall
be folded

SEC. 18. When a voter has stamped his ballot he shall fold it so that its face shall be concealed, and hand the same to a member of the board in charge of the ballot-box. Such folded ballot shall be placed in the ballot-box in the presence of the voter, and the name of the voter checked upon the register as having voted.

Polls open
from 8 a. m.
to 6 p. m.

SEC. 19. The polls shall open at 8 a. m. and close at 6 p. m., and no adjournment or intermission whatever shall take place until the polls shall be closed and until all the votes cast at such polls shall be counted and the result publicly announced, but this shall not be deemed to prevent any temporary recess while taking meals or for the purpose of other necessary delay; *provided*, that no more than two members of the board shall at any time be absent from the polling-place.

Canvass of
votes

SEC. 20. As soon as the polls are finally closed the judges must immediately proceed to canvass the votes cast at such primary election. The canvass must be public, in the presence of bystanders, and must be continued without adjournment until completed, and the result thereof declared. Except as hereinafter provided, the canvass shall be conducted, completed and returned as provided by law.

The number of ballots agreeing or being made to agree with the number of names on the lists, as now provided by law, the board must take the ballots from the box and count all the votes cast for each candidate for the several offices and record the same in duplicate tally-book.

SEC. 21. As soon as the returns from all the precincts in any county have been received, the board of county commis-

sioners shall meet forthwith and proceed to canvass returns, but such meeting shall be held not later than the tenth day following such primary. The canvass, when begun, shall continue until completed. County commissioners to canvass returns

The clerk of the board must, as soon as the result is declared, enter upon the records of such board a statement of such result, which statement shall contain the whole number of votes cast for each candidate of each political party, and for each candidate for a nonpartisan office. County clerk to record statement of result

The secretary of state shall, not later than twenty days after any primary, compile the returns for all candidates voted for in more than one county, and for all candidates for the assembly, state senate, representative in Congress, United States senate, and judicial offices, except justices of the peace, and shall make out and file in his office a statement thereof. Secretary of state to compile returns within 20 days after primary

SEC. 22. The party candidate who receives the highest vote at the primary shall be declared to be the nominee of his party for the November election. In the case of an office to which two or more candidates are to be elected at the November election, those party candidates equal in number to positions to be filled who receive the highest number of votes at the primary shall be declared the nominees of their party. Candidate receiving highest vote nominee of party

In the case of a nonpartisan office to which only one person can be elected at the November election, the two candidates receiving the highest number of votes shall be declared to be the nonpartisan nominees. Nonpartisan nominees, how decided

In the case of a nonpartisan office to which two or more persons may be elected at the November election, those candidates equal in number to twice the number of positions to be filled, who receive the highest number of votes shall be declared to be the nonpartisan nominees for such office.

SEC. 23. At 2 p. m. on the second Tuesday after any September primary the county candidates of the respective political parties shall meet at the courthouse at the county-seat of the county, adopt a county platform and elect a county central committee of not more than twenty members. Such county committeemen shall hold office for two years, and until their successors are selected. Vacancies in the committee may be filled by the remaining members. The county central committees shall choose their officers, and may select an executive committee with all the powers of the committee itself. County platforms and county central committees

County central committees now in existence shall exercise their powers and perform the duties herein prescribed until their successors are chosen in accordance with the provisions of this act. Present committees to act until successors are chosen

SEC. 24. On the twenty-first day after any September primary the party candidates for state offices, and for senate

State
platforms
and state
central
committees

and assembly, and the hold-over state senators shall meet at the state capital at 2 o'clock p. m. in convention. They shall adopt a state platform and elect a state central committee and the chairman thereof.

Apportion-
ment

Each county shall be entitled to as many committeemen as the county has members of the assembly under the apportionment act then in effect; *provided*, that each county shall be entitled to at least two committeemen.

The state central committee shall meet at such time and place as shall be designated by the body selecting it, shall select its own officers, except the chairman, and may select an executive committee with such powers as may be given by resolution of the state committee.

The party platform must be completed and published within two days after the opening of the convention.

Vacancies,
how filled

SEC. 25. Vacancies occurring after the holding of any primary election shall be filled by the party committee of the county, district or state, as the case may be.

Nonpartisan
vacancies

In the event of vacancies in nonpartisan nominations, the vacancy shall be filled by the person who received the next highest vote for such nomination in the primary for such office. If there be no such person then the vacancy may be filled by a petition signed by qualified electors equal in number to five per cent of the total vote cast for representative in Congress at the last preceding general election in the county, district or state as the case may be. Such petition shall be filed on or before fifteen days before the November election.

Petition,
when

Tie vote, how
decided

SEC. 26. In the case of a tie vote, if for an office to be voted for wholly within one county, the board of county commissioners shall forthwith summon the candidates who have received such tie votes to appear before such board, and such board in the presence of such candidates shall determine the tie by lot. In the case of a tie vote for an office to be voted for in more than one county, such tie shall be determined by lot by the secretary of state in the presence of the candidates.

Errors or
omissions,
how cured

SEC. 27. Any error or omission occurring or about to occur in the placing of any name on the official primary election ballot, or any error, omission, or wrongful act occurring or about to occur by reason of any act of any judge or clerk of a primary, or any other officer having to do with the election, registration, or canvassing, may be corrected by application of any qualified elector, upon affidavit, to any district court, or to the supreme court or any justice thereof. Notice of the hearing of said proceeding shall be given to the officer or person interested, and said hearing shall take precedence over any other business.

Contest of
primary
nomination,
how
conducted

SEC. 28. Any candidate at a primary election desiring to contest the nomination of another candidate for the same office may proceed within five days after the completion of the canvass as provided in section 21 of this act. And the

contestee shall be required by the order of such justice of the supreme court or judge of the district court to appear and abide the further order of the court.

SEC. 29. Any officer in whose office any nomination paper has been properly filed, who shall wrongfully either suppress, neglect, or fail to cause the proper filing thereof to be noted at the proper time and the proper place, shall be guilty of a misdemeanor, and upon trial and conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment in the county jail for not less than thirty days nor more than six months, or by both such fine and imprisonment. Any act or omission declared to be an offense by the general laws of this state concerning primaries and elections shall also in like case be an offense concerning primary elections as provided for by this act, and shall be punished in the same manner and form as therein provided, and all penalties and provisions of the law governing elections, except as herein otherwise provided, shall apply in equal force to primary elections as provided for by this act.

Neglect of
filing officer;
punishment

SEC. 30. Party candidates for United States senator, for representative in Congress, and for presidential elector shall be nominated under the provisions of this act, and in like manner by direct primary, as state officers are nominated.

National
candidates

SEC. 31. Candidates for public office, other than party candidates, shall be nominated in the manner following:

A certificate of nomination shall be signed by electors within the state, district, or political subdivision for which the candidates are to be presented, equal in number to at least ten per cent of the entire vote cast at the last preceding general election in the state, district, or political subdivision for which the nomination is made; *provided*, that such certificate shall contain the signatures of at least five electors. Said signatures need not all be appended to one paper, but each signer shall add to his signature his place of residence. One of the signers of each such certificate shall swear that the statements therein made and the signatures therein set forth are true to the best of his knowledge and belief. The certificate of nomination herein provided shall state the name of the principle, if any, which the person nominated by petition represents, but in so doing the name of no political party as defined by this act existing at the last preceding general election shall be used.

Independent
or other
nominations,
how made

Such certificates of nomination for officers to be voted for by the electors of the entire state or by districts composed of two or more counties shall be filed with the secretary of state; all others shall be filed with the clerk of the county wherein the officers are to be voted for.

Such certificate of nomination as provided in this section shall be filed at least ten days before the primary election, and no person shall be nominated by such certificate or peti-

Must be filed
10 days
before
primary
election

tion who has been a candidate before any primary of any political party as herein defined.

To contain
but one name
of candidate

Same fees as
party
candidates

Judicial and
school offices
excepted

Masculine
gender
includes
feminine

Previous
primary act
repealed

No certificate of nomination shall contain the name of more than one candidate for each office to be filled.

Every candidate nominated by petition shall, at the time of the filing of his petition or certificate, pay to the filing officer the same fee as is provided to be paid by candidates at the primary election of political parties as provided in section 7 of this act.

No nomination for judicial or school office shall be under the provisions of this section, but all such candidates shall be nominated at the primary election.

SEC. 32. The pronoun "he" used herein shall be construed and intended to mean he or she, and the masculine herein used shall include the feminine.

SEC. 33. An act regulating the nomination of candidates by political parties, providing for holding of primaries and conventions and regulating the manner of nominating candidates by petition, approved March 29, 1915, and all acts and parts of acts in conflict herewith, are hereby repealed.

CHAP. 156—*An Act to authorize and direct the board of county commissioners of the county of Lander, State of Nevada, to acquire a site for and to erect and construct and equip a branch county jail and justice courtroom at Battle Mountain, in said county, to issue bonds or other security for the purpose of creating a fund for the payment thereof, and other matters properly relating thereto.*

[Approved March 28, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Bonds
authorized
for branch
county jail
and
courthouse
at Battle
Mountain

SECTION 1. The board of county commissioners of the county of Lander, State of Nevada, is hereby authorized, empowered and directed, and it is hereby made their duty, to prepare and issue bonds of said county, said bonds to be issued on or before the 1st day of July, 1917, for the amount of ten thousand dollars, exclusive of interest, for the purpose of providing funds for the acquisition of a site for, and for the construction, erection and equipment of a branch county jail and justice courtroom in the town of Battle Mountain, in said county.

County com-
missioners to
issue bonds

Denomina-
tion

SEC. 2. Prior to the said 1st day of July, 1917, the board of county commissioners of said county shall have bonds prepared and ready for issuance in the said sum of ten thousand dollars, exclusive of interest, for the purpose of providing funds for the aforesaid purpose. Said bonds shall be each for the sum of five hundred dollars; they shall be numbered consecutively from one to twenty inclusive, and shall each bear

interest at the rate of six per cent per annum, payable on the 1st day of July of each year, beginning with the year 1918; said bonds shall mature and be payable in the order of their issue, beginning with number one, at the rate of two such bonds per year, on the 1st day of July, beginning with the year 1919; the principal and interest of all such bonds shall be payable only in gold coin of the United States of America, and shall be payable only at the office of the county treasurer of said Lander County. Said bonds shall each be signed by the chairman and clerk of the board of county commissioners of said county, countersigned by the county treasurer of said county, and authenticated by the seal of said county; coupons for interest shall be attached to each bond so that the same may be removed without injury to the bond, and each of said coupons shall be consecutively numbered and shall be signed by the engraved facsimile signatures of said chairman and clerk.

Interest, 6%

SEC. 3. The clerk of the board of county commissioners of said county shall keep a record of all proceedings under the provisions of this act, showing the number and date of each bond, and to whom issued. The county treasurer of said county shall, before countersigning said bonds, register the same, together with the coupons attached to each of said bonds.

Clerk to keep record; treasurer to register bonds

SEC. 4. The board of county commissioners of the county of Lander is hereby authorized and directed to negotiate for the sale of said bonds by advertising for sealed proposals, and may reject any and all bids; *provided*, that no bond shall be sold for less than par value.

Negotiation of bonds

SEC. 5. All moneys derived from the sale of said bonds shall be paid to the county treasurer and he shall keep the same in a fund hereby created and known as the "Battle Mountain Branch County Jail Fund," and shall pay out said moneys only in the manner now provided by law, and for the purposes for which the same were received.

Fund created

SEC. 6. The board of county commissioners of said county is hereby authorized and directed to use said moneys arising from the sale of said bonds for the acquisition of a site for, and the erection, construction and equipment of a branch county jail and justice courtroom in the town of Battle Mountain, in said county, and any balance remaining in said fund after the completion and equipment of said building shall be transferred to the sinking fund to be created for the purpose of paying the principal and interest of said bonds, as herein-after provided.

Commissioners to acquire site and erect building

SEC. 7. The general laws in force governing contracts by boards of county commissioners are hereby made applicable to and the same shall govern the action of the board of county commissioners in carrying out the provisions of this act.

General laws to govern contract

SEC. 8. As soon as possible after the passage and approval of this act, or after this act shall become a law, the board of

Board to act promptly county commissioners of the county of Lander, shall proceed to select an appropriate site for the said building in the said town of Battle Mountain, and shall thereafter, and with all due dispatch, proceed to the execution of the purposes of this act.

County treasurer liable SEC. 9. The county treasurer of said county shall be liable on his official bond for the safe keeping of the moneys which shall come into his hands under the provisions of this act, and for the faithful discharge of his duties in relation thereto.

Fund for interest and redemption of bonds SEC. 10. For the purpose of creating a fund for the payment of the bonds authorized by this act, and the interest thereon, the board of county commissioners of said county is hereby authorized and required to levy and collect annually a special tax on the assessed value of all property, both real and personal, subject to taxation, including the proceeds of mines, within the boundaries of said Lander County, until such bonds and the interest thereon shall have been fully paid, sufficient to pay the interest on said bonds, and to pay and retire the same in accordance with the foregoing provisions of this act. Such tax shall be levied and collected in the same manner and at the same time as other taxes are levied and collected, and the proceeds thereof shall be kept by the county treasurer in a special fund to be known as "Battle Mountain Branch County Jail Sinking Fund."

Redemption of said bonds SEC. 11. It shall be obligatory on the said county and on its proper officers to fully pay the accrued interest on said bonds annually and to fully pay and retire two of said bonds in 1919, beginning with the first number thereof, and so on consecutively and annually thereafter until said bonds and the interest thereon are fully paid, canceled and retired.

Tax ceases, when SEC. 12. Whenever the bonds and interest provided for in this act shall have been fully paid, the tax authorized by the act shall cease, and all moneys remaining in said bond fund shall, by order of the board of county commissioners of said county, be transferred to the general fund.

Treasurer to cancel bonds when paid SEC. 13. Whenever the county treasurer shall redeem any of the bonds issued under the provisions of this act, he shall cancel the same by writing across the face thereof "Paid," together with the date of such payment, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners, and the auditor shall credit the treasurer on his books for the amount so paid.

Interest ceases, when SEC. 14. Should the holder of said bonds, or any of them, for any cause whatever, fail to present said bonds to the said county treasurer for payment when they become due, all interest on such bonds shall thereafter immediately cease.

Faith of state pledged SEC. 15. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor the taxation thereby imposed be omitted, until all the bonds and coupons

issued hereunder and by virtue hereof shall have been paid in full, as in this act specified.

SEC. 16. If, upon investigation by the said board of county commissioners, it shall appear to said board that the money necessary to acquire such site and erect, construct and equip said jail and justice courtroom may be borrowed at a rate of interest not exceeding that herein provided, then and in such event the provisions herein requiring a bond issue are void, and said board is hereby authorized and directed to make such loan and to make, execute, issue and deliver, as evidence thereof, the negotiable promissory notes of said county therefor, not to exceed in amount, however, the sum of ten thousand dollars.

County commissioners may issue negotiable notes in lieu of bonds

Limited to \$10,000

CHAP. 157—*An Act providing that the county commissioners of Clark County may fix the wages for teams and all employees used in the construction and maintenance of the roads and highways of said county.*

[Approved March 23, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The county commissioners of the county of Clark shall fix the compensation of teams and all employees in the construction or maintenance of the roads and highways of said county.

Commissioners to fix compensation

SEC. 2. The county commissioners of Clark County are hereby empowered to order closed temporarily any of the roads or highways of said county for a term of not more than ten days at any time for the purpose of construction, repair, or when great damage might be done said roads by the use thereof. Any one violating such order of said commissioners shall be guilty of a misdemeanor.

Commissioners may close roads or highways

Penalty

CHAP. 158—*An Act making it unlawful to sell or offer for sale any cream which shall contain less than a specified percentage of butter-fat, and providing penalties for the violation of this act.*

[Approved March 23, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. It shall be unlawful for any person to sell or offer for sale within this state any cream for domestic purposes and by liquid measure which shall contain less than twenty-two per cent of butter-fat.

Cream must contain 22% butter-fat

SEC. 2. Any person violating the provisions of section one of this act shall be deemed guilty of a misdemeanor, and

Penalty upon conviction thereof shall be fined in a sum not to exceed one hundred dollars, or by imprisonment in the county jail for not more than thirty days, or by both such fine and imprisonment.

CHAP. 159—*An Act for the relief of Julius Jungblut and C. L. Deady.*

[Approved March 23, 1917]

Preamble WHEREAS, On June 27, 1910, Julius Jungblut of Milwaukee, Wisconsin, filed an application in the name of John F. Reichafdt in the state land office for the purchase of the southeast quarter of the southwest quarter and the south half of the southeast quarter of section 16, township 31 north, range 37 east, M. D. B. M., containing 120 acres, situated in Humboldt County, Nevada, paying thereon \$30 as first payment and entered into a contract to pay the balance of the principal of \$120 in fifty years, with interest at the rate of six per cent per annum; and

WHEREAS, Under the act of Congress of June 16, 1880, the United States granted to the State of Nevada two million acres of land in lieu of the unsold lands in the 16th and 36th sections in each township; and

WHEREAS, The records in the state land office show that in the exchange of said grants of lands the above-described lands were returned as belonging to the State of Nevada and were shown to be subject to sale at the time of filing the application of the said Julius Jungblut; and

WHEREAS, Upon a recent comparison of lists of the unsold lands in said grant filed in the general land office at Washington, D. C., with those filed in the state land office it was discovered that the said above-described lands were never returned to the United States as state lands and are so declared to be government lands and not subject to sale by the state; and

WHEREAS, In view of the correct status of said land as revealed, the state land register, on September 5, 1916, canceled the said application and contract and withdrew from the state treasury, under section 3207, Rev. Laws, the sum of \$30, the amount paid as first payment at the time of application and remitted the same to the said Julius Jungblut; and

WHEREAS, The said Julius Jungblut made five annual interest payments of \$7.20 each on said contract, amounting to the sum of \$36 and in the absence of any law authorizing the withdrawal of such payments from the general school fund into which the same was paid there is still due the said Julius Jungblut the sum of \$36 as aforesaid; and

WHEREAS, On the third day of July, 1916, C. L. Deady, surveyor-general and state land register, received from Ed Malley, state treasurer, a check signed by one J. Marion Smith, of Los Angeles, California, for the sum of \$110.76 as

interest payments on fifteen contracts for the purchase of state lands; and

WHEREAS, The said check was cashed at the Carson Valley Bank by the said C. L. Deady at \$110.46 net, and of said amount \$105.65 was certified and paid to the state treasurer as the amount due on said contracts and retained the balance of \$4.81 to the credit of the said J. Marion Smith; and

WHEREAS, The said check was returned dishonored to the said Carson Valley Bank, who made a demand for the return of the amount of said check; and

WHEREAS, The said C. L. Deady immediately reimbursed the said bank in the amount of \$110.76 from his private funds; and

WHEREAS, The said C. L. Deady has failed to collect from the said J. Marion Smith or from the state treasurer the amount paid as interest and sixty cents as discount on said fraudulent check, making a total of \$106.25; and

WHEREAS, Both of the aforesaid claims are just and legal claims against the State of Nevada; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of one hundred and forty-two dollars and twenty-five cents (\$142.25) is hereby appropriated, out of any moneys in the general school fund of the state treasury not otherwise appropriated, to be paid as follows:

To Julius Jungblut, the sum of thirty-six dollars (\$36).

To C. L. Deady, the sum of one hundred and six dollars and twenty-five cents (\$106.25).

SEC. 2. The state controller is hereby directed to draw his warrants in favor of the persons herein mentioned, for the respective amounts set forth, and the state treasurer is directed to pay the same, and the state land register is hereby authorized to cancel the record of payment on the contracts designated as being in the interest of the said J. Marion Smith so that the same may appear as if said payments had never been made.

CHAP. 160—*An Act for the relief of Volney B. Cross, of Carson City, Nevada, appropriating \$1,800 for injuries sustained by him while in the employ of the State of Nevada.*

[Approved March 23, 1917]

WHEREAS, In the year 1888 Volney B. Cross of Carson City, Nevada, was employed by the State of Nevada in working on the capitol building, and while so working a scaffold belonging to the state, which was presumed to be safe and of which said fact said Cross was so advised, gave way, without any fault of said Cross, dropping said Cross from the capitol dome window to the north stairway of the second floor of the

capitol building, from which accident the said Cross received injuries which resulted in a broken arm, broken wrist, right shoulder broken, both ankles broken, a wrenched spine, and hip broken in the socket, and otherwise internally injured; and

Preamble

WHEREAS, Said Cross doctored for three months at the time in Carson City before he could be removed to San Francisco, where it was necessary to receive medical attention for a period in excess of two years, at great expense; and

WHEREAS, He had retained the late General Woodburn for the purpose of instituting suit against the State of Nevada for damages in the sum of \$50,000, for said injuries received; and

WHEREAS, The board of capitol commissioners, on behalf of the State of Nevada, in order to terminate the said proposed suit, acting through the then governor, Governor Stevenson, and the then treasurer, Geo. Tuffy, and the then controller, Controller Halleck, and Lieutenant-Governor Davis, a majority of the board of capitol commissioners, on behalf of the said State of Nevada, offered, in the event said Cross would not bring said suit against the State of Nevada, to allow said Cross the sum of \$1,000, and would further frame a bill in the next succeeding legislature securing him a position for life in the state capitol; and

WHEREAS, Said Cross, believing in the sincerity and offer of the representatives of this state, accepted their proposition and was paid \$1,000, but that said State of Nevada has failed to create a position giving to said Cross employment as agreed until incapacitated to work; and

WHEREAS, Said board of capitol commissioners failed to live up to their original agreement, and the said Cross has at all times been willing to perform his part of the agreement, and now is; and

WHEREAS, Said Cross expended the sum of \$1,800 of his own money by reason of said injuries then sustained, in excess of the one thousand dollars given him by the state; be it therefore enacted that

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation, \$900

SECTION 1. That the sum of \$900 be appropriated, out of the funds of the treasury of the State of Nevada not otherwise appropriated, to Volney B. Cross of Carson City, Nevada, in full and complete payment for all claims of every character that the said Volney B. Cross may have against the State of Nevada.

When to take effect

SEC. 2. This act shall take effect upon the execution, by the said Volney B. Cross and by his wife, of a good and sufficient release of all and every claim against the State of Nevada, and the delivery thereof to the secretary of state, after approval thereof by the attorney-general; and the state

controller is hereby authorized and directed to thereupon draw his warrants for the sum of \$30 each, in favor of the wife of the said Volney B. Cross, monthly until the whole of said sum of \$900 shall have been paid; and the state treasurer is hereby authorized and directed to pay said warrants, when presented, out of the funds of the state treasury not otherwise appropriated, in the total sum of \$900.

Treasurer
authorized
to pay

CHAP. 161—*An Act fixing the compensation of the county officers of Elko County, Nevada, and repealing all acts and parts of acts in conflict herewith.*

[Approved March 23, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. From and after the passage and approval of this act the county officers of Elko County, Nevada, named in this act shall receive the following salaries in full compensation for all services rendered by them:

Fixing
salaries of
Elko county
officials

SEC. 2. The district attorney of Elko County, Nevada, shall receive a salary of twenty-one hundred dollars per annum for all his services as such officer; he shall have one deputy who shall receive a salary of twelve hundred dollars per year; the district attorney and his deputy shall be allowed their actual expenses while attending to official business connected with the said district attorney's office outside of the county-seat.

District
attorney

SEC. 3. The sheriff of Elko County shall receive the sum of twenty-seven hundred dollars per year; he shall pay into the county treasury each month all moneys collected by him for fees; *provided*, that twenty per cent of all moneys collected by said sheriff for sheep licenses may be retained by him as commissions and expenses for collecting the same; *and provided further*, that when it becomes necessary, in the discharge of official duties, for the sheriff to travel from the county-seat, he shall be allowed his necessary and actual traveling expenses therefor; he shall also be reimbursed for any and all telegraph and telephone tolls necessary in the discharge of his official duties. He shall present to the board of county commissioners a bill of items of such necessary expenses actually paid, which shall be certified under oath, and the board of county commissioners shall audit and allow such claims in the same manner as other county expenses are audited and allowed. The sheriff may appoint one deputy as undersheriff, who shall receive a salary of eighteen hundred dollars per annum, and one deputy who shall receive a salary of fifteen hundred dollars per annum, which deputy shall act as jailer, said deputies to be paid monthly and in the same manner as other officers of the county are paid;

Sheriff

provided, that in cases of emergency and when the board of county commissioners deem it necessary the sheriff may, with the unanimous consent and approval of the board, appoint one or more deputies, such deputy or deputies to serve only so long as said emergency may continue, and to be paid at the rate of one hundred dollars per month.

Clerk

SEC. 4. The county clerk of the county of Elko, State of Nevada, and ex officio clerk of the district court of the Fourth judicial district of the State of Nevada, in and for the county of Elko, shall receive as salary the sum of twenty-one hundred dollars per annum; he shall pay into the county treasury each month all moneys collected by him as fees. The county clerk may appoint one deputy who shall receive a compensation of fifteen hundred dollars per annum.

Recorder

SEC. 5. The county recorder in and for the county of Elko, State of Nevada, and as ex officio auditor, shall receive the sum of twenty-one hundred dollars per annum as compensation for all his services as such officer; he shall pay into the county treasury of said county all moneys collected by him as fees. The county recorder and ex officio auditor may appoint one deputy, who shall receive a salary of fifteen hundred dollars per annum, and one deputy who shall receive a salary of twelve hundred dollars per annum, and shall have such other deputies as the board of county commissioners deem necessary.

Assessor

SEC. 6. The assessor of Elko County, Nevada, shall receive a salary of six thousand four hundred dollars per annum and shall also be allowed to retain six per cent commissions on all poll taxes collected by him, except taxes on proceeds of mines and personal property collected by him. The above salary and commissions shall be in full compensation for all services and deputy services performed by the assessor's office.

Treasurer

SEC. 7. The county treasurer and ex officio tax receiver of Elko County, Nevada, shall receive the sum of thirty-four hundred dollars per annum, which shall be in full compensation for all services and deputy services rendered by said treasurer's office. He shall pay into the county treasury each month all moneys collected by him as fees.

Payable
monthly

SEC. 8. All salaries herein provided for shall be payable monthly in twelve equal installments.

Repeal

SEC. 9. All acts and parts of acts in conflict with this act are hereby repealed.

CHAP. 162—*An Act to amend section 1 of an act to regulate the fees of the county clerk of Humboldt County, State of Nevada, and to repeal all other acts and parts of acts in conflict therewith.* [Approved March 23, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The county clerk of Humboldt County, State of Nevada, as county clerk and ex officio clerk of the district court of the Sixth judicial district of the State of Nevada, in and for Humboldt County, shall, from and after the passage of this act, charge and collect the following fees in civil, probate, and guardianship proceedings; *provided*, that said clerk shall neither charge or collect any fees for services by him rendered to the State of Nevada or to the county of Humboldt:

Fees of
county clerk
of Humboldt
County

On the commencement of any action or proceeding in the district court (except a probate or guardianship proceeding), to be paid by the party commencing such action or proceeding, seven dollars; said fee to be paid in addition to the court fee of three dollars now provided by law.

On an appeal to the district court, to be paid by the party taking such appeal, seven dollars; said fee to be paid in addition to the court fee of one dollar now provided by law.

On the appearance of any defendant, or any number of defendants answering jointly, to be paid upon the filing of the first paper in the action by him or them, five dollars.

For every additional defendant, or intervener appearing separately, two dollars and fifty cents.

The foregoing fees shall be in full for all services rendered by such clerk in the case, to and including the making of the judgment roll.

On the filing of a petition for letters testamentary, or of administration, or guardianship, eight dollars and fifty cents, to be paid by the petitioner; *provided*, that at the time of filing the inventory and appraisement in any such proceedings there shall be an additional deposit of fifty cents for each additional one thousand dollars of the appraised value in excess of two thousand dollars; said fee to be paid in addition to the court fees of one dollar and fifty cents now provided by law.

On filing a petition to contest any will, or codicil, five dollars, to be paid by the petitioner.

On the filing of any notice of motion to move for a new trial of any civil action or proceeding, the party filing the same shall pay to the clerk in full for all services to be rendered in connection with said motion, two dollars and fifty cents.

For all services performed in an adoption case, five dollars.

Fees of clerk
of Humboldt
County

For all services performed in an action or proceeding which has been transferred from the district court of another county, ten dollars; this fee shall be in full for all services rendered in such suit so transferred, to and including the making of the judgment roll.

For filing remittitur from supreme court, fifty cents.

For services performed and all papers filed in proceedings to perpetuate testimony, five dollars.

For filing objections or cross-petitions to the appointment of an executor, administrator, or guardian, or objections to the settlement of account or any other proceedings in an estate or guardianship matter, two dollars and fifty cents, to be paid by the moving or objecting party.

No fee shall be charged by the clerk for any services rendered in any criminal case. In all proceedings begun, or for acts performed, previous to this act becoming a law, such fees and charges as were provided by law at the time such action or proceeding was begun or act performed.

Repeal

SEC. 2. All acts and parts of acts in conflict with this act are hereby repealed.

CHAP. 163—*An Act fixing the salaries of the county officers of Lander County, State of Nevada, and other matters properly connected therewith.*

[Approved March 23, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Fixing¹
salaries of
Lander
County
officials

SECTION 1. From and after the passage of this act, the following-named officers within Lander County, State of Nevada, shall receive in full payment for all services rendered by them the following salaries and fees:

Sheriff

The sheriff shall receive the sum of twenty-four hundred (\$2,400) dollars per annum, and the commissions allowed by law for all collections of all licenses, which shall be compensation in full for all services rendered. The sheriff shall pay into the county treasury each month all moneys collected by him as fees, in both civil and criminal cases, with a statement certified under oath, and no salary shall be allowed or paid to said officer for any month unless said statement has been so made and filed with the county clerk; *provided*, that when it becomes necessary in criminal cases for the sheriff to travel a greater distance than thirty miles from the county-seat he shall be allowed his necessary traveling expenses; *provided further*, that when it becomes necessary in civil cases for the sheriff to travel a greater distance than thirty miles from the county-seat he shall be allowed his necessary expenses therefor, which shall be made a charge against the party or parties to whom the costs of action are taxed. The sheriff shall present to the board of

county commissioners a bill of items of such necessary expenses actually incurred, and the board of county commissioners shall audit and allow such claims in the same manner as other county expenses are audited and paid. He may appoint a jailer, whose salary shall be one hundred dollars per month.

The county assessor shall receive eighteen hundred dollars Assessor (\$1,800) per annum, and such fees and commissions as are now allowed by law.

The county recorder, as such and as ex officio auditor, shall Recorder receive eighteen hundred dollars (\$1,800) per annum, and the fees allowed under the act of February 27, 1883. He shall perform all county work required in the office, extend the annual assessment roll without further compensation or charge against the county.

The county treasurer shall receive eighteen hundred dollars Treasurer (\$1,800) per annum.

The county clerk shall receive fifteen hundred dollars Clerk (\$1,500) per annum, and such civil fees as are now allowed by law.

The district attorney, as such, shall receive eighteen hundred (\$1,800) dollars per annum, and such fees and commissions as are now allowed by law. District attorney

The county commissioners shall each receive a salary of six hundred (\$600) dollars per annum and actual traveling expenses when traveling upon the business of said county, said expenses to be sworn to and allowed by said board of county commissioners the same as any other bill against said county. County commissioners

SEC. 2. All salaries provided for under the provisions of this act shall be payable monthly. Salaries payable monthly

SEC. 3. All acts and parts of acts in conflict with the provisions of this act are hereby repealed. Repeal

CHAP. 164—*An Act authorizing and directing the board of county commissioners of Lyon County, State of Nevada, to issue bonds for the purpose of establishing, constructing and maintaining high schools in the said county of Lyon, State of Nevada, and other matters properly relating thereto.*

[Approved March 28, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The board of county commissioners of Lyon County, State of Nevada, is hereby authorized and directed, under the provisions of this act, to issue bonds of said county bearing interest at a rate not to exceed six per cent per annum in a sum not exceeding thirty-six thousand (\$36,000) dollars. Said bonds shall run for a period of twenty (20) years from and after the first day of July, 1917. County commissioners to issue bonds

**Denomina-
tion of bonds** SEC. 2. Said bonds shall be issued for the sum of not less than five hundred (\$500) dollars each, payable in lawful money of the United States and payable to the bearer, and interest thereon shall be payable semiannually, and coupons for such installment of interest shall be attached to said bonds. Said bonds shall be numbered serially commencing with number one, and shall be retired in order of their issuance. At least two thousand (\$2,000) dollars of said bonds shall be redeemed annually, commencing on the first day of July, 1919. The bonds and coupons herein provided for shall be signed by the chairman of the board of county commissioners and countersigned by the clerk of said board, and said clerk shall attach thereto the county seal.

**Signature of
bonds**

**County com-
missioners to
negotiate
sale of bonds** SEC. 3. The said board of county commissioners is hereby authorized and directed to negotiate the sale of and sell said bonds at such times and in such amounts as may become necessary from time to time under the provisions of this act to carry out the purposes of the act. Said bonds shall be sold at not less than par. All moneys received from the sale of said bonds shall be paid to the county treasurer of said Lyon County and shall be by said treasurer kept in a fund hereby created to be known as The Lyon County High-School Building Fund, and money shall be paid out of said fund only in the manner required by law and for the purposes of carrying out the provisions of this act.

**Money, how
expended**

SEC. 4. The said high-school board of their respective districts is hereby authorized and directed, out of the moneys arising from the sale of said bonds, to use the sum of twelve thousand (\$12,000) dollars thereof for establishing, constructing, equipping and furnishing a high-school building in Smith Valley, Lyon County, Nevada, and an equal amount of twelve thousand (\$12,000) dollars for establishing, constructing, equipping and furnishing a high-school building at Dayton, Lyon County, Nevada; and whenever it appears that the district of Fernley as hereinafter described shall have sufficient students to organize and be permitted to have a high school, under and by virtue of the laws of Nevada, an equal amount of twelve thousand (\$12,000) dollars of the money arising out of the sale of such bonds shall be used for the establishing, constructing, equipping and furnishing a high school at Fernley, Lyon County Nevada; any balance of moneys remaining in said fund, after the completion, equipment, furnishing, constructing and establishing of said high-school buildings, shall be turned over and covered into the proper fund provided for the running and maintaining of said respective high schools in accordance with and pursuant to the provisions of law pertaining to the establishment, maintenance and management of high schools in the various counties of this state, it being intended that each of the high schools provided for in this section shall be entitled to the sum of twelve thousand

(\$12,000) dollars for establishing, constructing, equipping and furnishing the respective high schools and be entitled to any difference between the actual cost thereof and the sum of twelve thousand (\$12,000) dollars for maintenance. The county treasurer shall safely keep, in accordance with law, all moneys obtained from the sale of the bonds provided for under this act and shall be liable, upon his official bond, for the safe keeping thereof and for the faithful discharge of all official duties relating thereto.

SEC. 5. As soon as practicable after the passage and approval of this act, the respective boards of high-school trustees shall proceed to select an appropriate site for their respective high schools authorized and provided in the preceding section, and the board of county commissioners of said county shall, with all expedient dispatch, proceed to the execution of the provisions and purposes of this act.

SEC. 6. For the purpose of providing for the payment of said bonds and the interest thereon, as they become due, the board of county commissioners is hereby authorized and directed, on or before the first Monday in April, 1917, and annually thereafter at the time of the making of the levy for taxes for state and county purposes, to levy and collect upon all taxable property of said Lyon County a tax in an amount sufficient to pay the principal and interest of the bonds authorized under the provisions of this act as the same shall become due and payable. Said taxes so levied shall be assessed and collected as other taxes are assessed and collected, and shall be paid into the county treasury and set apart as a fund which is hereby created to be known as the Smith Valley-Dayton-Fernley High-School Bond Redemption and Interest Fund, and the moneys in said fund shall be paid out by the county treasurer in payment of principal and interest of said bonds as the same become due upon the presentation and surrender of said bonds and the coupons to the county treasurer at his office. The county treasurer shall be liable on his official bond for the safe keeping of all moneys in said fund and for the faithful discharge of the duties in relation thereto. Interest on each and every bond shall cease on the day of maturity thereof.

Any moneys remaining in said fund at the end of any year, after paying the interest and bonds due for such year, shall remain in said fund and be applied to the payment of bonds and interest thereafter coming due, and all moneys remaining in the fund after the payment of all bonds and interest shall be transferred by the board of county commissioners to the general fund of the county.

SEC. 7. There are hereby created four county high-school districts in Lyon County, which shall be known as Yerington high-school district, No. 1; Dayton high-school district No. 2; Smith Valley high-school district No. 3; and Fernley high-school district, No. 4; *provided, however*, that the Fernley

and Smith Valley high-school districts shall not be considered to be organized until it shall appear, under the laws of this state, that they have sufficient qualified students to organize, under the laws of this state, a high school, and until such time as it be so organized it shall be part and parcel of the Yerington high-school district No. 1.

Division of
Lyon County
into school
districts

SEC. 8. As soon as practicable after the passage of this act it shall be the duty of the board of county commissioners, with the assistance of the district attorney and county assessor of said Lyon County, to divide said Lyon County into school districts as provided for in the preceding section, having due regard to the location of the various high schools, the population to be served and the equitable distribution of the taxable property of all kinds within the county. Said county commissioners when such division is made shall, as accurately as possible, define the boundaries of each of said high-school districts, and shall file a certificate thereof with the county clerk of said county.

Defining
Yerington
high-school
district

Until such defining of boundaries by the board of county commissioners, the Yerington high-school district shall embrace all territory within the following-named school districts: Yerington, Meissner, Wabuska, Smelter, Sanders, Plummer, Barrett, Mason, Perry, Railroad, Gallagher.

Defining
Dayton
high-school
district

Until such defining of boundaries by the board of county commissioners, the Dayton high-school district shall embrace all territory within the following-named school districts: Dayton, Silver City, Sutro, Churchill, Mound House.

Defining
Smith Valley
high-school
district

Until such defining of boundaries by the board of county commissioners, the Smith Valley high-school district shall embrace all territory within the following-named school districts: Wellington, Smith, Artesia, Colony, Ludwig, Central.

Duties of
school
trustees

SEC. 9. On or before the first of April, 1917, it shall be the duty of the school trustees of the school districts within each of the high-school districts hereinbefore provided for by section 8 to meet and select three high-school members, who shall act as a high-school board for their respective districts, and they shall hold office until the next general school election. At each general school election there shall be elected in said county three district high-school board members for each of the high-school districts provided for in this act, two of whom shall serve two years and the other four years, and thereafter at each general school election there shall be elected two members of said high-school boards, one of whom shall serve for two years and the other for four years. Each person elected as provided herein shall be a resident of the high-school district for which he is elected to serve and shall enter upon the duties of his office on the first Monday next following his election and shall hold office until his successor is elected and qualified. In the event a vacancy shall occur, the same shall be filled by the state board of education.

Election of
high-school
board

SEC. 10. The high-school boards herein provided for shall have control of the fiscal policy of their respective high schools and high-school districts, they shall embrace uniform high-school courses of study as provided or adopted by the state board of education or other lawful authority; they shall employ all teachers, hire janitors and other employees and discharge the same when sufficient cause therefor exists; and they shall do any and all things necessary for the proper conduct, maintenance and administration of their respective high schools.

Duties of high-school boards

SEC. 11. It shall be the duty of the high-school board of each district between the first Monday of January and the first Monday of April of each year to prepare a budget of estimated expenses necessary for the maintenance of its school for the ensuing year; such budget shall be certified to by the high-school board and shall be filed with the county commissioners in season for the levy to be made therefor. It shall be the duty of the said board of county commissioners to determine and fix for each high-school district the tax rate necessary in each for the ensuing year to produce the money required by the respective high-school budgets. Said tax rate shall be estimated upon the total taxable property within the respective high-school districts. It shall be the duty of the board of county commissioners to include the same in their annual tax levy upon all taxable property situate within said districts, said high-school district to compose and include all the taxable property in the said Lyon county. The amount of taxes collected from each of the respective districts shall be paid into a separate fund in the county treasury and shall be designated: High-School Fund District No. 1, High-School Fund District No. 2, High-School Fund District No. 3, High-School Fund District No. 4, as the case may be, and may be drawn therefrom for the purpose of defraying the expenses of conducting and maintaining said county district high school for their respective districts in the manner now provided by law for drawing money from the county treasury by school trustees.

Budget to be prepared

County commissioners to make levy

How distributed

SEC. 12. The respective high schools herein provided for shall be under the same general supervision and shall be subject to the same laws, rules, and regulations as govern other high schools in this state, and all provisions of law concerning such high schools except as they may conflict herewith are hereby adopted.

General high-school laws to govern

SEC. 13. The moneys remaining to the credit of Lyon County High School No. 1 and to Lyon County High School No. 2 on July 1, 1918, after all current debts have been paid, shall be apportioned by the county commissioners among the district high schools then in existence in the ratio of the taxable property in each district, as officially reported to them, for the school year ending June 30, 1918; and they shall direct the county auditor and the county treasurer to

Balance, how disbursed

enter the apportionments thus made to the credit of the respective high-school districts.

Title vested SEC. 14. The title of all high-school property of the respective high-school districts provided in this act shall be vested in the respective high-school boards.

When effective SEC. 15. The first nine sections of this act shall go into effect on and after its approval by the governor; and section 11 shall go into effect January 1, 1918; and the remaining sections on and after July 1, 1918.

CHAP. 165—*An Act to establish commissioner districts in the county of Esmeralda, and providing for the election of the members of the board of county commissioners thereof.*

[Approved March 28, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Commissioner districts established SECTION 1. The county of Esmeralda is hereby divided into three commissioner districts as follows: District No. 1 shall be all that territory within the limits of the town of Goldfield lying east of Main street and south of Miner street and east of Broadway and north of Miner street to the town limits of Columbia, or Prospect street. District No. 2 shall be all remaining territory within the town limits of Goldfield and all territory within the town limits of Columbia. District No. 3 shall be all territory in Esmeralda County except such territory as is hereinbefore described as belonging to districts No. 1 and No. 2.

Commissioners, how elected SEC. 2. Beginning with the regular election to be held in Esmeralda County in November, 1918, there shall be one long-term commissioner, who shall serve for a term of four years, elected to take office January 1, 1919, who shall be a qualified elector and resident of district No. 1, as hereinbefore described; and one short-term commissioner, who shall serve for a term of two years, to take office January 1, 1919, who shall be a qualified elector and resident of district No. 3, as hereinbefore described. At each regular election thereafter there shall be elected two county commissioners, one long- and one short-term, who shall be qualified electors and residents of the two districts the terms of office of the county commissioners of which shall expire on the next January 1; *provided*, the long-term commissioner shall be accredited in direct biennial rotation to each of the three districts as hereinbefore described; *further provided*, no two commissioners shall serve at one and the same time from any one district.

Provisos

Duty of present commissioners SEC. 3. It is hereby made the immediate mandatory duty of the present county commissioners of Esmeralda County to establish election precincts within such county in such manner that each and every election precinct shall be wholly within one of the above-described commissioner districts, and

the establishment of any election precinct lying in part in each of said commissioner districts shall be wholly null and void.

SEC. 4. County commissioners for the respective districts shall be elected solely by the vote of the qualified electors of the particular district in which each may reside, and not by the electors at large throughout the said county. Commissioners elected by district

SEC. 5. All acts and parts of acts in conflict herewith are hereby repealed. Repeal

CHAP. 166—*An Act to authorize the board of county commissioners of the county of Mineral, State of Nevada, to issue bonds to provide for the erection of a county high-school building in the town of Hawthorne.*

[Approved March 28, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The board of county commissioners of Mineral County, Nevada, is hereby authorized and empowered to prepare and issue bonds of said county, in the event said board deem such action necessary and advisable, for any amount not to exceed the sum of five thousand dollars, exclusive of interest, for the purpose of providing funds for the erection of a county high-school building in the town of Hawthorne. Commissioners of Mineral county to issue bonds

SEC. 2. The board of county commissioners of said Mineral County may cause said bonds to be prepared and made ready for issuance. Said bonds shall be signed by the chairman of the board, countersigned by the county treasurer and authenticated with the seal of the county. Coupons for interest shall be attached to each bond, so that the same may be removed without injury to the bonds, and each of said coupons shall be consecutively numbered and signed by the chairman of said board and the county treasurer. Bonds, how signed
Interest coupons to be attached

SEC. 3. The clerk of the board of county commissioners shall keep a record of all proceedings under the provisions of this act, showing the number and date of each bond and to whom issued. Duties of clerk

SEC. 4. The board of county commissioners of Mineral County is hereby authorized to negotiate the sale of said bonds or such number thereof as they may deem necessary, by advertising for sealed proposals or by private sales, as they may deem for the best interests of the county, and may reject any and all bids; *provided*, that the State of Nevada shall be given first preference in the purchase of said bonds from the state permanent school fund moneys, and that no bonds shall be sold for less than par value; *and provided further*, that all bonds shall be payable in gold coin of the United States, and the interest thereon shall be payable in like gold coin. Commissioners authorized to negotiate sale of bonds
Proviso

Description of bonds SEC. 5. Said bonds shall be numbered consecutively from one to ten, and shall be redeemable at the rate of two each year, and the interest on the same shall not exceed six per cent per annum, payable semiannually on the first Monday of January and July of each year at the office of the county treasurer of said Mineral County, and in no case shall any of said bonds run for a longer period than five years. Said bonds shall be each for the sum of five hundred dollars.

Disposition of moneys SEC. 6. All moneys derived from the sale of said bonds shall be paid to the county treasurer of said county, and the said treasurer is hereby required to receive and safely keep the same in a fund known as "County High-School Fund," and to pay out said moneys only in the manner now provided by law and for the purposes for which the same were received.

County treasurer liable SEC. 7. The county treasurer of said Mineral County shall be liable on his official bond for the safe keeping of the moneys which shall come into his hands under the provisions of this act, and for the faithful discharge of all his duties in relation thereto.

County commissioners to levy tax SEC. 8. For the purpose of creating a fund for the payment of the bonds authorized by this act and the interest thereon, the board of county commissioners of the said Mineral County is hereby authorized and required to levy and collect during the year of 1917, and annually thereafter, in the event said board deem it necessary to make such bond issue as herein provided for, a special tax on the assessment valuation of all property, both real and personal, subject to taxation, including proceeds of mines, within the boundaries of said Mineral County, sufficient to pay such bonds and interest thereon and to pay and retire two of such bonds on the first Monday of January, 1918, and two bonds annually thereafter on the same date. Such tax shall be levied and collected in the same manner and at the same time as other taxes are assessed and collected, and the proceeds thereof shall be kept by the county treasurer in a special fund to be known as the "Mineral County High-School Bond Redemption Fund."

Tax, how collected SEC. 9. Whenever the county treasurer shall redeem any of the bonds issued under the provisions of this act he shall cancel the same by writing across the face thereof "Paid," together with the date of such payment, sign his name thereto, and turn the same over to the county auditor, taking his receipt therefor, which receipt shall be filed with the clerk of the board of county commissioners, and the auditor shall credit the treasurer on his books for the amount so paid.

Paid bonds, how canceled SEC. 10. Should the holder of said bonds, or any of them, for any cause whatever, fail to present said bonds to the said county treasurer for payment when they become due, all interest on such bonds shall thereafter immediately cease.

Interest ceases, when SEC. 11. The faith of the State of Nevada is hereby pledged that this act shall not be repealed, nor the taxation thereby imposed be omitted, until all the bonds and coupons

Faith of state pledged

issued under and by virtue hereof shall have been paid in full, as in this act specified.

CHAP. 167—*An Act to facilitate the building of rural school-houses and to standardize them by supplying plans and specifications to rural school boards, and other matters properly connected therewith.*

[Approved March 28, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. It shall be a duty of the state board of education to have prepared plans and specifications for rural schoolhouses on standard lines of school architecture as to size, lighting, heating, ventilation, and general sanitation; and the trustees of rural schools needing new schoolhouses shall be supplied with such plans and specifications when the same are ready for distribution upon request of boards of school trustees.

Duty of
board of
education

CHAP. 168—*An Act to amend an act entitled "An act for preventing the manufacture, sale or transportation of adulterated, mislabeled or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating the manufacture and traffic therein, and providing penalties, and making an appropriation for the carrying out of this act," approved March 13, 1909.*

[Approved March 28, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 4 of the above-entitled act is hereby amended to read as follows:

Section 4. Food shall be deemed adulterated, within the meaning of this act, in any of the following cases:

Adulterated
food defined

First—If any substances have been mixed or packed, or mixed and packed, with the food so as to reduce or lower or injuriously affect its quality, purity, strength or food value.

Second—If any substance has been substituted wholly or in part for the article of food.

Third—If any essential or any valuable constituent or ingredient of any article of food has been wholly or in part abstracted.

Fourth—If it be mixed, colored, powdered, coated or stained in any manner whereby damage or inferiority is concealed.

Fifth—If it contain any added poisonous or other added deleterious ingredient.

Adulterated
food defined

Sixth—If it consists in whole or in part of a filthy, decomposed or putrid animal or vegetable substance, or any portion of an animal or vegetable unfit for food, whether manufactured or not, or if it consists in whole or in part or is the product of a diseased animal, or one that has died otherwise than by slaughter; *provided*, that an article of liquor shall not be deemed adulterated, mislabeled or misbranded if it be blended or mixed with like substances so as not to injuriously reduce or injuriously lower or injuriously affect its quality, purity of strength.

Seventh—If, in the manufacture, sale, distribution or transportation, it is not at all times securely protected from filth, flies, dust or other contamination or other unclean, unhealthy or unsanitary conditions.

Eighth—In the case of confectionery: If it contain terra alba, barytes, talc, chrome yellow, or other mineral substance or poisonous color or flavor, or other ingredients deleterious or detrimental to health, or vinous, malt or spirituous liquor; or compound, or narcotic drug.

Ninth—In the case of vinegar: If it be artificially colored.

SEC. 2. Section 19 of the above-entitled act is hereby amended to read as follows:

Duties of
commissioner

Section 19. Whenever the commissioner or his agents shall have ground for suspicion that any article of food, found in possession of any person, firm or corporation, is adulterated or misbranded within the meaning of this act, he may seize such article of food and make an inventory thereof, and shall leave a copy of such inventory with the party holding such suspected goods, and tag the same "Suspected"; and he shall notify in writing the person, firm or corporation in whose possession it may be found not to offer the same for sale or sell or otherwise dispose of the same until further notice in writing from the commissioner, and it shall be unlawful for any person, firm or corporation so notified as aforesaid to offer any such goods for sale until the same has been released by the commissioner or his agent. Such seizure may be had without a warrant and said commissioner, and all inspectors and agents appointed pursuant to law, are hereby given full power and authority of policemen. When it shall appear from any such examination or analysis made by an analyst of the Nevada agricultural experiment station that such sample of food, liquor or drug is adulterated, mislabeled or misbranded within the meaning of this act, the said commissioner shall furnish a notice of the fact, together with a copy of the certificate of findings, by registered mail to the party or parties from whom the sample was obtained or who executed the guarantee as provided for in this act, and a date, hour and place shall be fixed by said commissioner at which said party or parties may be heard before him, under such rule and regulations as may be prescribed by said commissioner. The receipts of the postoffice department for such

registered notice shall be received as *prima facie* evidence that such notice has been given. Parties interested therein may appear in person or by attorney and may propound interrogatives and submit oral or written evidence to show any fault or error in the findings of the analyst or examiner. If the examination or analysis be found correct or if the party or parties fail to appear at such hearing after notice duly served, as provided herein, the commissioner shall forthwith transmit a certificate of the facts so found to the district attorney of the county in which said adulterated, misbranded or mislabeled food, liquor or drug was found. No publication as in this act provided shall be made until after said hearing is concluded.

Duties of commissioner

SEC. 3. All acts and parts of acts in conflict herewith are hereby repealed.

Repeal

SEC. 4. This act shall take effect January 1, 1918.

When effective

CHAP. 169—*An Act to provide a general highway law for the State of Nevada.*

[Approved March 23, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby created a department of highways, which shall consist of three directors and the state highway engineer. The directors shall be appointed by the governor and shall hold office for three years from the date of their appointment; *provided*, that the directors first appointed shall be designated, one for a term of one year, one for a term of two years, and one for a term of three years. Not more than two of such directors shall belong to the same political party. Said directors, or any of them, may be removed by the governor with or without cause. The state highway engineer hereinafter provided for shall attend all meetings of the department of highways, and shall give it such advice and counsel as may be required, but shall have no vote. The attorney-general shall be the legal adviser of the department of highways. The department of highways may adopt such rules or by-laws, not inconsistent with this act, as may be necessary to govern its acts and proceedings. It shall adopt a seal for use in authenticating its contracts, records and proceedings.

Department of highways created

SEC. 2. The directors of the department of highways shall each receive a salary of ten (\$10) dollars per day for each day necessarily employed in the business of the department, not to exceed one thousand (\$1,000) dollars per annum, and shall be entitled to their actual and necessary traveling expenses when engaged in the duties of their office.

Salary of directors

SEC. 3. Immediately upon their appointment the directors

State
highway
engineer
appointed

of the department of highways shall meet at Carson City, Nevada, and elect a chairman of the board. Said directors, as soon as practicable, shall appoint a state highway engineer, who shall be a competent engineer, experienced and skilled in highway and bridge design, construction and maintenance. Said state highway engineer shall receive a salary of four thousand (\$4,000) dollars per annum, payable in equal monthly installments out of the state highway fund herein-after created. He shall be allowed his actual necessary traveling expenses when absent from the state capital upon business of the state. He shall devote his whole time to the duties of his office, and may be removed by the board of highway directors at any time with or without cause upon sixty days notice. The state highway engineer, upon entering the duties of his office, shall file with the secretary of state his official oath, and shall likewise give and file with the secretary of state a bond to the State of Nevada in the sum of twenty-five thousand (\$25,000) dollars conditioned for the faithful performance of his duties. Said bond shall be approved by the governor. The expense of procuring such bond, if a corporate surety or sureties be given, shall be paid out of the state highway fund.

Duties of
state
highway
engineer

Engineer
may employ
assistants

SEC. 4. The state highway engineer may employ such assistant engineers, clerks and other assistance as may be necessary to the proper conduct of the department of highways, and fix their compensation. Such compensation, however, shall first be approved by the highway directors. The department of highways shall maintain its office at Carson City, Nevada, in charge of the state highway engineer, and such offices shall be kept open at such times as the business of the department and the convenience or the interest of the public may require. Said offices shall be provided by the board of capitol commissioners.

Meetings of
directors

SEC. 5. It shall be the duty of the board of highway directors to hold meetings at such times and for such periods as they may deem essential to the proper carrying out of the provisions of this act. Such meetings may be held at any place in the state. It shall be the duty of said board to consider at their meetings all questions relating to the general policy of the department of highways and the conduct of the work in general; receive and consider at such time as they may select the annual report of the state highway engineer; and to act for the said department in all matters relating to recommendations, reports and such other matters as it may be found advisable to submit to the governor or the legislature.

Highway
engineers to
keep records

SEC. 6. The state highway engineer shall have charge of all the records of the department of highways; shall keep a record of all proceedings and orders pertaining to the business of his office and of the department; and shall keep on file copies of all plans, specifications and estimates prepared by his office. He shall cause to be made and kept by the

department of highways a general plan of the state, and shall collect information and compile statistics relative to the mileage, character, and condition of the highways and bridges in the different counties of the state. He shall investigate and determine the methods of road construction best adapted to the various sections of the state, and shall establish standards for the construction and maintenance of highways in the various counties, giving due regard to the topography, natural conditions, character, and availability of road-building material. He may at all reasonable times be consulted by county officers having authority over highways and bridges relative to any question involving such highways and bridges, and he may, in like manner, call on such county officials for any information or assistance they may render in the performance of his duties with reference to the highways and bridges within their county, and it shall be the duty of such county officials to supply such information when called upon for same by the said state highway engineer. He shall determine the character and have the general supervision of the construction and repair of all roads and bridges improved under the provisions of this act. He shall report all the proceedings of his office to the board of highway directors annually, and at such other times as they may designate.

Additional
duties

SEC. 7. The State of Nevada hereby accepts and assents to the provisions of the act of Congress of the United States entitled "An act to provide that the United States shall aid the states in the construction of rural post-roads, and for other purposes," approved July 11, 1916. The state highway department is hereby authorized to enter into all contracts and agreements with the United States government relating to the survey, preparation of plans, construction and maintenance of roads under the provisions of the said act of Congress, to submit such scheme or program of construction and maintenance as may be required by the secretary of agriculture of the United States, and do all other things necessary fully to carry out the cooperation contemplated and provided for by the said act. For the construction or improvement of rural post-roads under the said act the good faith of the state is hereby pledged to make available funds sufficient to at least equal the sums apportioned to the state by or under the United States government during each and all of the five years for which federal funds are appropriated by section 3 of the said act, and to maintain at its own expense the road so constructed with the aid of funds so appropriated, and to make adequate provisions for carrying out such maintenance.

Acceptance
of Federal
act

Faith of state
pledged

SEC. 8. The highways which are constructed or improved by the department of highways in accordance with the routes set forth and described in this section shall be state highways and shall be constructed or improved and maintained by the department of highways; *provided*, that the funds available

Highways
defined

Proviso

to the state through the act of Congress or other federal acts may be used therefor; *and provided further*, that when such federal funds are made available, under section eight of said act of Congress, or other federal act or acts authorizing the use of federal funds to build roads in the national forest, the board is authorized and empowered to set aside for the purpose and to expend said highway funds on state highways built by the federal government. Such state highway routes are hereby designated and are set forth and described as follows:

Route 1
defined

Route 1. Beginning at a point east of Tecoma at the Utah state line running thence in a westerly direction through the towns of Montello, Cobre, Wells, Deeth, Halleck, Elko, Carlin, Beowawe, Battle Mountain, Golconda, Winnemucca, Imlay, Lovelock, Fernley, and Wadsworth to the city of Reno, thence westerly through the town of Verdi and to the California-Nevada state line.

Route 2
defined

Route 2. Commencing at a point on the dividing line between White Pine County and the State of Utah, thence in a southwesterly direction to the city of Ely; thence westerly passing through the towns of Eureka, Austin, Fallon and Hazen to a junction with route one as herein described at a point between the town of Hazen and the town of Fernley.

Route 3
defined

Route 3. Commencing at the city of Reno; thence running southerly through the city of Carson City; thence westerly to Glenbrook on Lake Tahoe; thence in a southerly direction to the Nevada-California state line at or near Lakeside; beginning again at Carson City thence to the town of Yerington by the most available and practicable route; thence to the northerly end of Walker lake by the most available and practicable route; thence along the west side of Walker lake to the town of Hawthorne; thence to and through the towns of Luning, Mina and Millers to the town of Tonopah; thence southerly to the town of Goldfield; thence westerly by the most practicable and available route to the Nevada-California state line.

Route 4
defined

Route 4. Commencing at the city of Ely and running in a general southwesterly direction to the town of Tonopah.

As soon as funds are available the department of highways shall commence the construction of said routes.

Appropriation

SEC. 9. In order to provide funds for carrying out the provisions of this act there is hereby created the state highway fund, and there is hereby appropriated the sum of forty thousand (\$40,000) dollars, from the general fund of the state treasury not otherwise appropriated, for said state highway fund for the purposes of this act. In order to provide for the continuation of said state highway fund there shall be levied for the year 1917, an ad valorem tax of seven cents, and for the year 1918 and annually thereafter ten cents on each one hundred dollars of taxable property in this state, including the proceeds of mines, which shall be collected as

Tax levy
for years
1917-1918

other taxes, and paid into the state treasury for said state highway fund for the exclusive use and purpose of this act. Any portion of said state highway fund unexpended at the expiration of any fiscal year shall be available for apportionment and expenditure during succeeding years, and until this act is modified or repealed. Said state highway fund and the moneys collected therefor shall be available and shall be used for the purpose of constructing, equipping and maintaining the highways designated by the preceding section.

SEC. 10. The board of county commissioners of each and every county through which the state highway and state highway routes, as defined and designated by section 8 of this act, and all other officers having to do with the assessment of property and collection of taxes are hereby directed to levy and collect for the fiscal year 1917 a tax of seven cents, and for the fiscal year 1918, and annually thereafter, a tax of ten cents on each one hundred dollars of taxable property within their respective counties for the purpose of creating a highway fund. The proceeds of said tax shall be set aside in a separate fund in the county treasury and shall be used only for the purpose of assisting the state in constructing so much of the state highway or highways as may run through their county. The said fund shall be hereinafter called in this act "The County-State Highway Fund," and shall be expended only under the direction of said state highway engineer, and the moneys shall be paid out upon bills for construction upon the state highways within the county, certified by the state highway engineer, presented to and approved by the board of county commissioners as other bills against the county are paid.

Duties of
county com-
missioners

How fund
expended

If upon the approval of this act the time in which boards of county commissioners shall fix and levy taxes for county purposes shall have passed, the levy of seven cents on each one hundred dollars of taxable property within the county, as heretofore provided for herein, shall be deemed to be levied by this act without any act on the part of the commissioners of the respective counties. On and after the year 1917 it shall be the mandatory duty of the board of county commissioners to levy the annual tax herein provided for for the purpose of creating and maintaining "The County-State Highway Fund."

Levy for 1917
declared
fixed

SEC. 11. Within ninety days after this act shall take effect and on the 10th day of January of each year thereafter the department of highways shall send to the board of county commissioners of each county, through which the state highways as defined and established in this act run, a plan in such detail as they may deem advisable of the amount, character and nature of the work of construction to be done within the respective counties during the ensuing year, and immediately upon the receipt of such plan by the board of county commissioners of the respective counties the board of

Department
of highways
submit plans
to county
commis-
sioners

Proviso county commissioners shall enter an order making available for state highway purposes all moneys in "The County-State Highway Fund" which shall be subject to be expended under the direction of the state highway engineer upon the said highways within the county; *provided, however*, that no money shall be expended from the state highway fund or from "The County-State Highway Fund" within the limits of any city or town.

Construction and improvement to be under supervision of engineers SEC. 12. All work of construction and improvement of state highways as defined and established under the provisions of this act, and all highways permitted under and by virtue of the provisions of section 31, shall be under the supervision and direction of the state highway engineer, and shall be performed in accordance with the plans, specifications, and contracts prepared and executed by him therefor.

Indebtedness how paid SEC. 13. All bills against the state highway fund for construction, improvement, or maintenance under the provisions of this act shall be certified by the state highway engineer and shall be presented and examined by the board of examiners, and when so allowed, upon being audited by the state controller, the state controller shall draw his warrant therefor upon the state treasurer.

Expenditures, how incurred SEC. 14. For the improvements that cost two thousand (\$2,000) dollars or less it shall be discretionary with the state highway engineer, with the approval of the board of highway directors, to execute such work or improvements himself or to let the same by contract; but where the cost of the proposed improvements is to exceed the sum of two thousand (\$2,000) dollars it shall be the duty of the state highway engineer to advertise for bids for such work according to plans and specifications prepared by him. Publication thereof shall be made in a newspaper of general circulation in the county in which the proposed improvement or construction is to be made for a period of two weeks in a weekly newspaper, or for a period of ten days when in a daily newspaper, and such advertisement shall also be published in one or more daily papers of general circulation throughout the state for a period of ten days. Such advertisement shall state the place where the bidder may inspect the plans and specifications, the time and place when bids will be received, and the time and place for opening the same. Every bid shall be accompanied by a certified check of the bidder in an amount equal to five per cent of the amount of his bid, said amount to be forfeited to the state highway fund should the bearer to whom the contract is awarded fail to enter into the contract in accordance with his bid and give the bond required within ten days after notice of such award. The checks of all unsuccessful bidders shall be returned immediately after the contract is awarded and the bond given.

Certified check to accompany bid Bids publicly opened All bids so submitted shall be received at the office of the department of highways and shall be publicly opened and read

at the time stated in the advertisement. The department of highways shall have the right to reject any and all bids if, in the opinion of the department, the bids are unbalanced, or for any good cause. In awarding contract the department of highways shall make the award to the lowest responsible bidder. The successful bidder shall be required to furnish bond, with sureties, approved by the department of highways in a sum equal to at least one-half of the amount of the contract awarded, conditioned that such work shall be performed in accordance with the plans and specifications and terms of the contract, and otherwise conditioned as in this act provided, and no party bidding for the work shall be accepted as surety on any required bond. When the contract is executed, a copy of the same, including plans and specifications and estimates of cost, shall be filed forthwith in the office of the department of highways and a like copy filed with the clerk of the board of county commissioners.

Duties of
successful
bidder

SEC. 15. The state highway engineer may authorize partial payment to any contractor performing any highway improvement or construction as the work progresses. The progress estimates shall be based upon materials in place and labor expended thereon; but not more than eighty-five per cent of the contract price of work shall be paid in advance of full completion and acceptance of such improvement or construction. Fifteen per cent of the contract price of any such work or improvement or construction shall be withheld until the same is satisfactorily completed and accepted by the state highway engineer and such other officer of the United States government as shall have supervision of other highways within the meaning of this act.

Engineer
may
authorize
partial
payment

SEC. 16. All contracts authorized under the provisions of this act shall be executed in the name of the State of Nevada and shall be signed by the chairman of the department of highways, attested by the state highway engineer under the seal of the department, signed by contracting party or parties, and the form and legality thereof approved by the attorney-general. No director of the department of highways and no state highway engineer, and no employee or officer of the department of highways shall be interested directly or indirectly in any contract of any kind or character for the construction, supervision or maintenance of any of the state highways of this state, and such contract shall be void. Any director of the department of highways or any state highway engineer or any officer or employee who shall become, directly or indirectly, interested in any contract for the construction, supervision, or maintenance of any of the state highways in this state shall be guilty of a misdemeanor.

Contracts
executed in
name of
State of
Nevada

No official to
be interested
in contracts

Penalty

SEC. 17. Every contractor for improvements, construction or maintenance shall execute a bond as heretofore provided herein, and in addition to the conditions heretofore provided such bond shall provide and secure payment for all material,

Contractor
to execute
bond for
material,
etc.

Person or corporation furnishing supplies protected

Statute of limitations

Contractor amenable to industrial insurance act

Subcontracts to be approved

Improvement of roads state highway expense

Highway not to be disturbed without approval of engineers

Proviso

provisions, provender and supplies, teams, trucks and other means of transportation used in, or upon, or about, or for the performance of the work contracted to be done, and for any work or labor done thereon. Any person or corporation furnishing labor or supplies as heretofore provided herein desiring to be protected under said bond shall file his claim within thirty days from the completion of the contract with the department of highways, which claim shall be verified and contain a statement that same has not been paid. And any such person or corporation so filing a claim may at any time within six months thereafter commence an action against the surety or sureties on the bond for the recovery of the amount of the claim. Failure to commence the action upon such claim against the bond and the sureties thereon within six months shall bar any right of action against such surety or sureties.

Every successful contractor to whom a contract is awarded shall be liable under the provisions of the Nevada industrial commission act, Stats. 1913, page 137, *et seq.*, and shall pay the premiums and percentages as required in said act, and such act shall be mandatory and compulsory upon every such contractor, and the state controller, before paying any money or drawing his warrant, may require satisfactory evidence of the payment of the premiums required under said act.

No contractor shall let any subcontract except upon the written permission and approval of the department of highways, and all subcontractors shall be required in like manner to comply with the terms of the Nevada industrial commission act in like manner as contractors.

SEC. 18. Whenever a road, being a part of the system of state highways herein created, shall be constructed or improved under the provisions of this act, the state highway engineer shall thereafter keep all such roads in repair, and the total cost of such maintenance shall be paid by the state treasurer out of the state highway fund herein created and provided for.

SEC. 19. No state highway shall be dug up, crossed or otherwise used for laying or relaying pipe lines, ditches, flumes, sewers, poles, wires or railways, or for other purposes, without the written permit of the state highway engineer, and then only in accordance with the regulations prescribed by said engineer; and all such work shall be done under the supervision and to the satisfaction of said engineer, and all the cost of replacing the highway in as good condition as previous to its being disturbed shall be paid by the persons to whom or in whose behalf such permit was given or by the person by whom the work was done. In case of immediate necessity therefor a city or town may dig up such state highway without such permit from said engineer; *provided*, that in such cases such highways shall be forthwith

replaced in as good condition as before at the expense of such city or town.

SEC. 20. The state highway engineer, with the approval of the board of highway directors, may purchase for the state all rock-crushers, steam-rollers, vehicles and road machinery, tools and implements that may be needed for the purpose of this act, and such machinery shall be managed and used by and under the direction of the state highway engineer, who shall employ competent men to operate and keep them in repair. Said engineer may purchase all necessary materials and supplies and incur such other expenses as may be necessary in the operation, maintenance and transportation of all such road machinery, tools and implements.

Purchase of
road
machinery
authorized

SEC. 21. In all cases of a highway constructed under the provisions of this act which is located or relocated over a new right of way, such right of way shall be acquired by the department of highways in the name of the state, either by donation by the owners of the land over which such highway shall pass, or by agreement between such owners and the department of highways or through the exercise by the department of highways in the name of and on behalf of the state of the power of eminent domain in the same manner as provided for acquiring property for other public uses, and the entire cost of such right of way shall be paid out of the state highway fund. Any damages that may be sustained by any person by the construction or alteration of any highway under the provisions of this act shall be investigated and determined by the state highway engineer, the same to be approved by the board of highway directors, and shall be paid as other claims against the state are paid.

Method of
acquiring
right of way

Allowance
for damages

Any person who may consider himself aggrieved by such determination may commence an action in the district court of the county in which such property lies, within six months after the completion of said highway or the alteration thereon, in the same manner as actions for damages sustained for the taking of private land for public purposes.

Parties
aggrieved
may
commence
court action

SEC. 22. The department of highways, in the name of the state, is hereby empowered to lease, purchase or otherwise acquire (including acquisition by donation) gravel, sand, or gravel or sand-pits, rock, rock-quarries, road metal and road material of any kind, also the right to take water from any stream, ditch, lake, well, or other source of water supply, for drinking purposes or for the use of contractors or for the use of the department of the state highway engineer in the construction of the state highway or in the maintenance thereof; and it is further empowered, where it is impossible to agree with the owner or owners thereof, to condemn any land upon which said materials may be situated or any water necessary for the supplying of the water aforesaid and to institute and carry on all necessary proceedings therefor. The amount agreed to be paid or the amount of the pay-

Additional
powers of
department
of highways

ment awarded for such material or water shall be paid upon the certificate of the state highway engineer as other claims against the state are paid. But nothing contained in this act shall be so construed as to divest any person or company of any vested right in or to any water right or the beneficial use thereof.

Engineer
may employ
assistants

SEC. 23. The state highway engineer shall have authority to employ any and all labor necessary to carry out the provisions of this act, and shall pay such labor the reasonable and customary price per day for the class of work performed.

Engineer
empowered
to change
route

SEC. 24. Whenever in the construction, reconstruction, maintenance, or repair of any of the state highways it shall appear to the state highway engineer that any portion of the state highway as herein defined is dangerous or inconvenient to the traveling public in its present location, or as it may from time to time be located, by reason of grades, dangerous turns, or other local conditions; or that the expense in the construction, building, rebuilding, maintenance or repair thereof would be unreasonably great and could be materially reduced or lessened by change of route, the state highway engineer is hereby empowered to divert or change said route in such manner as in his discretion may seem best; *provided*, that the said state highway engineer shall first submit a plan of the proposed change to the board of highway directors and the same shall be approved by them.

Proviso

Guideposts,
signboards,
warnings,
etc.,
permissible

As a part of every plan and of all specifications and contracts for the construction of the said highways herein provided for provision shall be made for the erection of permanent guide-posts and signboards at every point where another road crosses or diverges such state highway and at all places requiring warning to the traveling public as to the condition of the road, such as dangerous turns, steep grades, etc., which guide-posts and signboards shall contain plain and accurate information as to the distances of towns and other points; such as is usually contained on signboards for the information of the traveling public.

Advertising
signs not
lawful

SEC. 25. No advertising signs, signboards, or boards or other materials containing advertising matter shall be placed upon or over any state highway, nor within twenty feet of the main traveled portion thereof; nor upon any bridge or other structure thereon; *provided*, that counties, towns or cities of the State of Nevada may, by permission of the state highway department, place at such points as may be designated by the state highway engineer suitable signboards advertising such counties, towns or municipalities. If any such sign is placed in violation of this act it is thereby declared a public nuisance and may be forthwith removed by the department of highways or its employees. Any person placing any such sign in violation of the provisions of this section shall be guilty of a misdemeanor and shall be fined not less than ten dollars or more than fifty dollars.

Penalty

SEC. 26. All highways constructed under the provisions of this act shall be constructed in such manner as to provide for sufficient and permanent drainage and of such materials as to insure, so far as reasonably may be done, considering all of the circumstances, permanent wearing qualities and to provide against excessive maintenance cost. Regard shall always be had to the character and quality of the traffic to be accommodated and the interests of the public to be served.

All construction to be permanent

SEC. 27. The department of highways may employ or cause to be employed the convicts confined in the state prison in the construction, improvement, and maintenance of the state highways provided for in this act, or in the quarrying, mining, preparation or transportation, of materials for use thereon. Upon the requisition of the department of highways, the warden of the state prison shall send to the place and at the time designated the number of convicts requisitioned or such portion thereof as are, in the judgment of the warden, available.

Department of highways may employ convicts

The state highway engineer shall designate and supervise all road work done by such convicts; and the department of highways shall provide for and maintain the necessary camps and camp equipment for the accommodation of said convicts and the guards for such camp. But the warden of the state prison shall have full control at all times over the discipline of said convicts.

Engineer to designate and supervise work

The expense of transportation, necessary guarding, and all extra expenses necessary or incidental to the work of such convicts shall be borne by the department of highways as herein provided. The department of highways and the warden shall enter into an agreement respecting the division of such expense on the basis hereinbefore stated, it being the intention that all extra expense connected with the use of said convicts upon the state highways, over and above the care and maintenance of said convicts at the state prison, shall be borne by the department of highways.

Expense of convict labor to be agreed upon by highway department and warden

The proper authorities of said state prison and of the state are hereby empowered and directed, where convicts are so employed upon state highways, to grant additional good-time allowance to such convicts conditioned upon their loyal obedience and efficient cooperation with the state, and also, in their discretion, to pay such convicts 25 cents for each day's work faithfully performed.

Additional good-time allowance lawful

SEC. 28. The state printer of the State of Nevada is hereby authorized and directed to furnish such stationery and printing, including all reports, statistics, blanks or reports and accounts as may be necessary for the use of the department hereby created and its officers upon the requisition of the state highway engineer.

State printer to provide necessary printing

SEC. 29. Whenever the state highway, as it now exists or may hereafter be designated and created, crosses any

Duties of
highway
board
relative to
railroad
crossings

railroad track, whether the same be a street railroad or an interurban railroad, or a steam railroad, such railroad company is hereby required to construct and maintain such highway, at its own expense, as hereinafter provided. Said railroad company shall construct and maintain asphaltum, gravel and asphaltum, or gravel and oil, or asphaltum base upon both sides of each track and for the full space between the tracks and for two feet on the outer sides of each line of tracks for the full height of the rails and of the width of not less than twenty feet. In case of a failure of such railroad company to comply with the provisions of this act the department of highways may, at its option, construct and maintain it in the condition herein provided, and shall have the right to recover the expenses thereof from such railroad company from time to time as circumstances require.

Duties of
railroads

Federal aid
to be
deposited
in state
treasury

SEC. 30. All moneys received from the government of the United States, under and by virtue of the provisions of an act of Congress entitled "An act to provide that the United States shall aid the states in the construction of rural post-roads and for other purposes," approved July 11, 1916, for the construction of any of the state highways in this state shall be paid into the state treasury and become a part of the state highway fund.

Counties
without
highway to
receive
money

SEC. 31. In any county through which no state highway or state highway route is located in accordance with the provisions of section 8 of this act or as hereafter defined by any act of the legislature, such county shall be entitled to receive the full amount which it has paid into the state treasury for the state highway fund less its proportional share for administrative and overhead expenses prorated on the basis of assessed valuation, and an additional amount which shall be equivalent to that proportion of the moneys received from the federal government under the terms of the act of Congress of the United States entitled "An act to provide that the United States shall aid in the construction of rural post-roads, and for other purposes," approved July 11, 1916, which the assessed valuation of such county bears to the assessed valuation of the state as a whole which shall be used by such county in the building and maintaining of any highway within its borders; *provided, however*, that the general plan thereof shall be approved by the department of highways of this state and conform to the act of Congress of the United States entitled "An act to provide that the United States shall aid the states in the construction of rural post-roads and for other purposes," approved July 11, 1916.

Proviso

County com-
missioners
may
authorize
additional
expense

SEC. 32. Counties through which the state highway routes pass may, through the board of county commissioners, authorize the expenditure of moneys in excess of the amount of the county-state highway fund provided for by section 10 of this act upon the state highway within their respective counties.

SEC. 33. It shall be the duty of the state highway engineer, Engineer to supervise county work. when upon the request of the board of county commissioners of any county, to take charge and supervise the construction of any county highways and the expenditures of moneys thereon when deemed advisable by such board of county commissioners.

SEC. 34. The department of highways is hereby authorized to accept donations of moneys, labor and material to be expended or used upon the state highways at such points or places as may be designated by the donor. Department of highways may accept donations

SEC. 35. All acts and parts of acts in conflict herewith Repeal are hereby repealed.

CHAP. 170—*An Act supplementary to an act entitled "An act to incorporate Carson City," approved February 25, 1875, empowering the board of city trustees of said city by ordinance to fix a salary for the president and other members of the board of city trustees for the year 1917, and providing for the submission of such ordinance to the electors of said city for approval.*

[Approved March 23, 1917]

WHEREAS, Extraordinary services will be imposed upon the Preamble board of city trustees of the city of Carson during the year 1917 by reason of the paving of Carson street, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The city trustees of the city of Carson are hereby authorized and empowered to adopt an ordinance Duty of trustees fixing a salary for the president and other members of said board of city trustees for the year 1917; *provided*, such ordinance shall not prescribe a salary greater than six hundred Proviso dollars for the president of such board and not greater than three hundred dollars for the other members of such board; *and provided*, that such ordinance shall not take effect prior to the municipal election in said city in May, 1917.

SEC. 2. Upon the filing with the city clerk of said city, not Referendum invoked later than ten days before said municipal election, a petition signed by not less than ten per cent of the qualified electors of said city, the question of the approval or rejection of said ordinance shall be submitted to the electors of said city as prescribed in the constitution relative to the referendum. In the event a majority of the electors of said city vote against the approval of such ordinance then such ordinance shall be without force or effect.

CHAP. 171—*An Act to provide for the administration of vocational education funds.*

[Approved March 23, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Appropriation, how made

SECTION 1. The state board of education, acting as a state vocational education board, shall appropriate money to local communities for the teaching of agriculture and of trades and industries and household economics subjects only on the basis of an equal contribution by each community for the purpose of such instruction organized under provisions acceptable to the federal board of vocational education.

CHAP. 172—*An Act to amend an act entitled "An act authorizing Lincoln County to fund and refund its existing indebtedness, and to repeal all acts and parts of acts in conflict herewith," approved March 5, 1907.*

[Approved March 23, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section three of said act is hereby amended to read as follows:

Commission to levy tax

Section 3. The board of county commissioners shall cause to be assessed and levied each year, until the tenth year after the issue of said bonds, upon the taxable property in the county, in addition to the levy authorized for other purposes, a sufficient tax to pay the interest on outstanding bonds, issued in conformity to the provisions of this act, accruing before the next annual levy, and they shall cause to be assessed and levied, in the tenth year after the issue of such bonds, and each year thereafter, a tax sufficient to pay twenty-two (22) of the bonds then unpaid, and the interest upon all outstanding bonds; except that said board shall provide in the twenty-ninth year after the issue of said bonds, a tax sufficient to pay seventeen (17) of the said bonds and the interest to accrue upon the same; in addition to all taxes for other purposes, and the moneys arising from such assessments and levies shall be known as the "Bond Fund," and shall be used only for the payment of bonds and interest coupons, and for no other purpose whatever; and the county treasurer shall open and keep in his books a separate and special account thereof, which shall at all times show the exact condition of said bond fund.

SEC. 2. Section four of said act is hereby amended to read as follows:

Section 4. Said bonds shall be paid in the order of their

numbers, that is to say, from bond numbered one (1) to bond numbered four hundred and thirty-five (435), inclusive, serially, and in the manner following: Bonds, how paid

The county treasurer shall, not later than the first day of March in the year 1918 and annually thereafter, give notice by publication in a newspaper of general circulation in said Lincoln County, and also in a newspaper printed and published in the city of San Francisco, in the State of California, addressed "To the holders of bonds of Lincoln County, Nevada," and listing the numbers of the bonds, according to their proper order, which will be paid with accrued interest, upon the first day of June of that year, and stating that said bonds will be paid in full by the county treasurer at his office in Lincoln County upon presentation of said bonds and all unpaid coupons pertaining thereto, which notice shall be so printed and published in said newspapers for eight (8) successive publications thereof, the last of which shall not be later than the first day of April in that year. The county treasurer shall in addition keep in his register of bonds entries of the dates on which all the bonds issued under this act shall become due, and such information shall be available on request to the public generally. Duties of treasurer

On and after the first day of June fixed in said notice, the interest on the several bonds bearing the numbers so listed in said published notice shall cease, and the amount of money to pay, satisfy, and discharge the same, with interest to said date, shall be set aside from all other moneys in the hands of the county treasurer, to be held for the payment of said bonds and said interest when the same shall be presented. If said bonds are not so presented, the interest thereon shall, nevertheless, cease. Upon presentation of said bonds and all unpaid coupons pertaining thereto, the county treasurer shall mark the same paid and canceled, and thereupon make a complete record of the transaction in his office, including a list of the bonds and coupons by him paid and canceled. All redemptions and payments of bonds and payments of interest shall be by funds out of the funds set apart by said county treasurer pursuant to this act. When interest shall cease

CHAP. 173—*An Act to amend an act entitled "An act to amend section seven of an act entitled 'An act providing for a state loan and the refunding of the outstanding indebtedness of the state,' approved March 11, 1913," approved March 20, 1913.*

[Approved March 23, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 1 of the above-entitled act is hereby amended to read as follows:

Section 1. Section seven of the above-entitled act is hereby amended so as to read as follows:

Tax, how
levied

Section 7. There shall be levied and collected for the fiscal year, commencing January 1, 1913, and annually thereafter until January 1, 1916, an ad valorem tax of one and one-half cents, and commencing January 1, 1916, and annually thereafter an ad valorem tax in such an amount as may by the legislature be deemed necessary to meet the interest and redemption requirements distributed over the then remaining life of the bonds. Such ad valorem tax shall be against all taxable property in the state, including net proceeds of mines, and all moneys from said taxes shall be paid into the state loan interest and redemption fund, created as aforesaid for the payment of the interest and the redemption of the bonds authorized by this act.

CHAP. 174—*An Act to amend an act entitled "An act to regulate the racing of horses in the State of Nevada, and to establish a state racing commission, and to define its powers and duties, and prescribing a penalty for violation therefor," approved February 20, 1915.*

[Approved March 23, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 9 of said act is amended to read as follows:

Commission
from pari-
mutuel bet-
ting, how
disposed of

Section 9. Any association or corporation conducting horse racing in the State of Nevada where pari-mutuels may be permitted shall take out such commission from all moneys received from the sale of pari-mutuels as may be prescribed by the state racing commission, not to exceed eight per cent; one-sixth of which shall be paid by said association or corporation daily to the said state racing commission, and shall be paid by said state racing commission to the state treasurer, which money shall be paid said state treasurer and placed in the state highway fund as defined by law, to be used by the department of highways in the building, improvement, and care of the state highways. It is hereby made the duty of the state racing commission, and they are hereby granted the power, to inspect the books of any such association or corporation and to revoke their licenses unless the said books are fully, accurately, and fairly kept.

CHAP. 175—*An Act to authorize the state board of examiners to issue bonds for the purpose of providing revenue to meet certain appropriations made in the general appropriation bill for the years 1917-1918; and other matters in relation thereto.*

[Approved March 23, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The state board of examiners is hereby authorized and empowered to prepare and issue bonds at such time or times during the years 1917-1918 as circumstances may require, for an amount not to exceed the sum of sixty-one thousand nine hundred and eighty-eight (\$61,988) dollars, exclusive of interest, for the purpose of taking care of certain appropriations made in the general appropriation bill for the years 1917-1918, as hereinafter detailed.

Duties of board of examiners

SEC. 2. The necessity for the issuance of any part or all of the bonds provided for in this act shall be determined by the state board of examiners.

Examiners to determine necessity

SEC. 3. Said bonds shall, when practicable, be each for the sum of five hundred (\$500) dollars, payable in gold coin of the United States, and shall be numbered serially, and when retired shall be retired in order of their issuance. Said bonds shall be signed by the governor, and endorsed by the state treasurer, and countersigned by the state controller, and authenticated by the great seal of the state. Said bonds shall bear interest at the rate of five per cent per annum, payable semiannually, and shall be payable within twenty years from date of issuance. Bonds in lesser amounts than five hundred (\$500) dollars may be issued when in the discretion of the state board of examiners such fractional bonds are deemed necessary or expedient.

Amount and interest of bonds

SEC. 4. Upon the issuance and execution of said bonds the same shall be sold and delivered to the state permanent school fund, university ninety-thousand-acre grant fund, or the university seventy-two-section grant fund, as money may be available and in the state treasury in said funds, and when so sold the state controller shall draw his warrant against said fund or funds for the amount of said bonds and the proceeds thereof shall be placed in a fund to be known as "General Appropriation Bond Fund." At least one-twentieth of the bonds provided for in this act, issued in any given year, shall be redeemed each year, commencing June 1, 1918, and annually thereafter on the same date.

Disposition of bonds

SEC. 5. For the year 1917 there shall be levied an ad valorem tax of three-tenths of one cent, for the year 1918 four-tenths of one cent, and annually thereafter such rate as may be found necessary to meet the bond interest and redemption requirements of this act as may be determined by the legislature, on each one hundred dollars of taxable property in

Tax, how levied

the State of Nevada, including the net proceeds of mines, and all moneys derived therefrom shall be paid into the "General Appropriation Bond Interest and Redemption Fund," which shall be used for the purpose of paying interest and the annual redemption of the bonds authorized by this act. If after the payment of interest and the redemption of the number of bonds as herein provided for there shall remain a surplus in said fund, such surplus shall be used for the retirement and cancelation of additional bonds provided in this act to the amount of such surplus.

Section of
1917-18

SEC. 6. The appropriations which the bonds herein provided for are intended to cover are those certain appropriations appearing in the general appropriation bill for 1917-1918 as follows:

Section 12. *University of Nevada.* For installation of curbing and gutter on east side of Virginia street between Ninth and Tenth streets, 360 linear feet, \$288. For deficit, University of Nevada, \$30,000.

Section 22. *State Prison.* For improvements, repairs, machinery, and stock for old prison and prison farm, \$5,000.

Section 24. *State Orphans' Home.* For installation of oil-burner at state orphans' home, \$2,000. For swimming pool, amusements, etc., at the orphans' home, \$1,000.

Section 26. *Miscellaneous.* For expenses of capitol and state printing buildings, grounds, and water-works, \$3,000. For improvement of capitol corridors, \$7,500. For repairs and improvements on capitol building, \$6,000. For fire-proofing state library, subject to investigation and approval by board of capitol commissioners, \$7,200.

CHAP. 176—*An Act to authorize the state board of examiners to issue bonds in certain emergencies during the years 1917-1918; and other matters in relation thereto.*

[Approved March 28, 1917]

Preamble

WHEREAS, Certain requirements of the federal highway act may necessitate the raising of state funds to permit the State of Nevada to participate therein, prior to the time when such funds will become available from regularly authorized sources; and

WHEREAS, This session of the legislature has provided a health emergency fund of \$10,000 by the provisions of assembly bill No. 167, which said fund may never be required, or required only in part; and

WHEREAS, This session of the legislature has provided a military emergency fund of \$25,000 by the provisions of assembly bill No. 172, which said fund may never be required, or required only in part; and

WHEREAS, This session of the legislature has provided a state rabies fund of \$70,000, a portion of which it is believed

will be required prior to the time when such fund will become available from regularly authorized sources; and

WHEREAS, The estimated requirements of the cost of operating the state government for the calendar year 1917 shows an excess of \$75,000 over estimated receipts, all or a part of which may be required to maintain the state government on a cash basis; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The state board of examiners is hereby authorized and empowered to prepare and issue bonds at such time or times during the years 1917-1918 as circumstances may require, for an amount not to exceed the sum of two hundred and ten thousand (\$210,000) dollars, exclusive of interest, for the purpose of meeting certain emergencies as they may arise, which emergencies are detailed in this act.

Duties of board of examiners

SEC. 2. The necessity for the issuance of any part or all of the bonds provided for in this act shall be determined by the state board of examiners.

Examiners to determine necessity

SEC. 3. Said bonds shall be each in the sum of five hundred (\$500) dollars, payable in gold coin of the United States, and shall be numbered serially, and when retired shall be retired in order of their issuance. Said bonds shall be signed by the governor, and endorsed by the state treasurer, and countersigned by the state controller, and authenticated by the great seal of the state. Said bonds shall bear interest at the rate of five per cent per annum, payable semiannually, and shall be payable within twenty years from the date of issuance.

Amount and interest of bonds

SEC. 4. Upon the execution and issuance of said bonds the same shall be sold and delivered to the state permanent school fund, university ninety-thousand-acre grant fund, or the university seventy-two-section grant fund, as money may be available and in the state treasury in said funds, and when so sold the state controller shall draw his warrant against said fund or funds for the amount of said bonds, and the proceeds thereof shall be placed in the state general fund. At least one-twentieth of the bonds provided for in this act, issued in any given year, shall be redeemed each year, commencing June 1, 1918, and annually thereafter on the same date.

Disposition of bonds

SEC. 5. For the year 1917 there shall be levied an ad valorem tax of one-half of one cent, for the year 1918 one and two-tenths cents, and annually thereafter such rate as may be found necessary to meet the bond interest and redemption requirements of this act as may be determined by the legislature, on each one hundred dollars of taxable property in the State of Nevada, including the net proceeds of mines, and all money derived therefrom shall be paid into the

Tax, how levied

"Contingent Emergency Bond Interest and Redemption Fund," which shall be used for the purpose of paying interest and the annual redemption of the bonds authorized by this act. If after the payment of interest and the redemption of the number of bonds as herein provided for there shall remain a surplus in said fund, such surplus shall be used for the retirement and cancelation of additional bonds provided for in this act to the amount of such surplus.

Disposition
of receipts

SEC. 6. The receipts from the sale of bonds herein provided shall be paid into the state general fund in the state treasury.

CHAP. 177—*An Act in relation to public revenues, creating the Nevada tax commission and the state board of equalization, defining their powers and duties, and matters relating thereto, and repealing all acts and parts of acts in conflict herewith.*

[Approved March 23, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Tax com-
mission
created

How
composed

SECTION 1. There is hereby created a commission to be designated and known as the Nevada tax commission. Said Nevada tax commission shall consist of a chairman and six commissioners. The chairman shall be the governor of the State of Nevada. One of the commissioners shall be one of the associate commissioners of the railroad commission of the State of Nevada, to be designated by the governor; one of the said commissioners shall be versed in and possess a practical knowledge and experience in the classification of land and the value thereof; one of said commissioners shall be versed in and possess a practical knowledge and experience in live stock and the value thereof; one of said commissioners shall be versed in and possess a practical knowledge and experience in the mining industry; one of the said commissioners shall be versed in and possess a practical knowledge and experience in business; one of said commissioners shall be versed in and possess a practical knowledge and experience in banking; each of said commissioners at the time of his appointment shall be actively engaged in the business of the department which he is chosen to represent on the commission. Said appointments shall be made by the governor, and not more than one of said commissioners shall be appointed from any one county in this state, and not more than a majority of the said commission shall be of the same political party. Three of said commissioners shall be appointed for a term of four years, and two of said commissioners for a term of two years, and upon the expiration of the terms for which the appointments are made all commissioners shall be appointed for terms of four years. The chairman and each of said commissioners shall have a vote upon all matters which shall come before

Appoint-
ments made
by governor

said commission. Before entering upon his duties each of said commissioners, except the governor and the railroad commissioner, shall enter into a bond payable to the State of Nevada, to be approved by the board of examiners, in the sum of ten thousand dollars, conditioned for the faithful performance of his duties, and shall subscribe to the official oath. The commission shall appoint a secretary who shall give his entire time and attention to the duties of the office of secretary of the commission, and who shall be in charge of the office of the commission. Secretary

SEC. 2. The members of said commission shall have power to prescribe rules and regulations for its own government and governing the procedure and order of business of all regular and special sessions, and five members shall constitute a quorum for the transaction of business. The secretary shall keep full and correct records of all transactions and proceedings of said commission, and perform such other duties as may be required, and, with the approval and consent of the commission and of the state board of examiners, may employ such clerical or expert assistance as may be required. Powers of
commission

SEC. 3. Said Nevada tax commission, hereinafter and heretofore referred to as "said commission," is hereby empowered:

First—To confer with, advise and direct assessors, sheriffs, as ex officio collectors of licenses, county boards of equalization, and all other county officers having to do with the preparation of the assessment roll or collection of taxes or other revenues as to their duties; to direct what proceeding, actions or prosecutions shall be instituted to support the law. Said commission may call upon the district attorney of any county or the attorney-general to institute and conduct such civil or criminal proceedings as may be demanded. Powers of
tax
commission
specified

Second—To have the original power of appraisal or assessment of all property mentioned in section 5 of this act. Original
power of
appraisal

Third—To establish and prescribe the general and uniform rules and regulations governing the assessment of property by the assessors of the various counties, not in conflict with law; to prescribe the form and manner in which assessment rolls or tax lists shall be kept by assessors (and county commissioners shall supply books and blanks for the use of the assessors in such form), and also to prescribe the form of the statements of property owners in making returns of the property; and it is hereby made the duty of all county assessors to adopt and put in practice such rules and regulations and to use and adopt such form and manner of keeping such assessment rolls or tax lists, and to use and require such property owners to use, and the county commissioners shall furnish, the blank statements required by said commission in making their property returns. Rules

Fourth—To require assessors, sheriffs, as ex officio collec-

Revenue
officers must
give
information

tors of licenses, and the clerks of the county boards of equalization, and all other county officers having to do with the preparation of the assessment roll or collection of taxes or other revenues, to furnish such information in relation to assessments, licenses, or the equalization of property valuations, and in such form as said commission may demand.

Witnesses
may be
examined

Fifth—To summon witnesses to appear and testify on any subject material to the determination of property valuations, licenses, or the net proceeds of mines, but no property owner and no officer, director, superintendent, manager, or agent of any company or corporation, whose property is wholly in one county, shall be required to appear, without his consent, at a place other than the county-seat or at the nearest town to his place of residence, or the principal place of business of such company or corporation. Such summons may be served by personal service by any member of said commission, or by the sheriff of the county, and who shall certify to such service without compensation therefor. Any member of said commission may administer oaths to witnesses.

Oaths

May examine
corporation
books

Sixth—To make diligent investigation with reference to any class or kind of property believed to be escaping just taxation; and in pursuance whereof, said commission, or any commissioner thereof, may examine the books and accounts of any person, copartnership, or corporation doing business in the state, when such examination is deemed necessary to a proper determination of the valuation of any property subject to taxation, or the determination of any licenses for the conduct of any business, or the determination of the net proceeds of any mine.

Budgets of
county
expenses

Seventh—To require boards of county commissioners to submit a budget estimate of the county expenses for the current year in such detail and form as may be required by the commission; to require boards of county commissioners to increase or decrease the county tax rate of their respective counties to produce the net revenue estimated as necessary for the conduct of such county government, as appears from such budget; to require county boards of education and district school trustees and all school officers having control over any school expenditures in any district in which a special tax is to be levied during the current year, to submit a budget estimate of the expenses for which such tax is levied in such detail and form as may be required by the commission. To require cities, municipalities and towns and the governing boards thereof to submit budget estimates of the expenses for the government of such city, municipality or town for the current year, in such form and detail as may be required by the commission, and to require the governing boards of any municipality, city or town to increase or decrease the tax rate therein to produce the net revenue estimate for the conduct of such municipality, city or town in said budget.

Eighth—The commission shall have, in addition to the specific powers enumerated, the power to exercise general supervision and control over the entire revenue system of the state.

General supervision of revenue

Ninth—The commission shall have the power to require county assessors, county boards of equalization, any county auditor or county treasurer to place upon the roll any property found to be escaping taxation.

Untaxed property to be on roll

Tenth—The commission shall have the power to authorize the secretary to hold hearings or make investigations, and upon any such hearing the secretary shall have the authority to examine books, compel the attendance of witnesses, administer oaths and conduct investigations.

Power and duties of secretary

The enumeration of the foregoing powers shall not be considered as excluding the exercise of any needful and proper power and authority of said commission.

Foregoing powers do not exclude

SEC. 4. Said commission shall keep its office at Carson City, and shall be in general session and open for the transaction of business the usual hours and days in which public offices are kept open. There shall annually be held at Carson City two regular sessions of said commission, namely, one beginning on the second Monday in January of each year at 9 o'clock a. m., and continuing from day to day until the business is completed, at which valuations shall be established by said commission on the several kinds and classes of property mentioned in section 5 of this act; and one regular session shall be held annually beginning on the first day of October, or the first legal day thereafter, at the same hour, and continuing from day to day until the business is completed, at which said commission shall equalize property valuations in the state as provided in section 7 of this act, exclusive of live stock. The publication in the statutes of the foregoing time, place, and purposes of such regular session shall be deemed sufficient notice thereof to all concerned, but said commission, if it so elects, may cause published notices of such regular sessions to be made in the press, or may notify parties in interest by letter or otherwise. All sessions shall be public and all parties shall have the right to appear, to be heard in person or by their agents or attorneys, or to submit evidence in documentary form. The publication once a week, for two consecutive weeks, of notice of a special session, in some newspaper of general circulation in the county in which such special session is to be held, five days' personal service on, or registered mailed notice, to the person, firm, or corporation affected, stating the time, place, objects and purposes of such special session, shall be deemed sufficient notice thereof to all concerned. Special sessions may be held at such times and places and for such purposes as said commission may declare.

Office at Carson City

Sessions

What is legal notice of session

SEC. 5. At the regular session of said commission held on the second Monday of January of each year, said commission

Commission to assess all live stock shall assess all live stock throughout the state, accepting the valuation per head for the year 1917, using the valuation theretofore established by the state board of equalization at its regular session held in August, 1916, and thereafter using the valuation per head established by the preceding session of the state board of equalization for the then current year, as provided for in section 6 of this act, and shall establish the valuation on any property of an interstate or inter-county nature, and which shall in any event include: The property of all interstate or intercounty railroads, sleeping-car, private car line, street railway, traction, telegraph, water, telephone, and electric light and power companies, together with the franchises, and the property and franchises of all express companies operating on any common carrier in this state, and which foregoing, exclusive of live stock, shall be assessed as follows: Said commission shall establish and

Railroads, etc. fix the valuation of the franchise, and all physical property used directly in the operation of any such business of any such company in this state, as a collective unit; and if operating in more than one county, on establishing such unit valuation for the collective property, said commission shall then proceed to determine the total aggregate mileage operated within the state and within the several counties thereof, and so apportion the same upon a mile-unit valuation basis, and the number of miles so apportioned to any county shall be subject to assessment in that county according to the mile-unit valuation so established by said commission. The word

Franchises Mile-unit valuation "Company" defined "company" shall be construed to mean and include any person or persons, company, corporation, or association engaged in the business described. In case of the omission by said commission to establish a valuation for assessment purposes upon any property mentioned in this section, it shall be the duty of the assessors of any counties wherein such property is situated to assess the same. All other property shall be assessed by the county assessors. On or before the first Monday in June it shall be the duty of the said commission to transmit to the several assessors the assessed valuation found by it on such classes of property as are enumerated in this section, together with the apportionment of each county of such assessment. The several county assessors shall enter on the roll all such assessments transmitted to them by the Nevada tax commission.

Tax commission and county assessors to sit as state board of equalization

SEC. 6. Beginning on the third Monday of August the said commission shall, together with the county assessors of the several counties of this state, sit in Carson City as a state board of equalization. The chairman of the said commission shall be the chairman of the said board of equalization, and each member of said commission and each of the county assessors shall have a vote upon said board. The secretary of the Nevada tax commission shall act as the secretary of

the state board of equalization. The actual necessary expenses of the county assessors in attending the meeting of the said board of equalization shall be paid by the respective counties. At such meeting it shall be the duty of the state board of equalization to review the tax rolls of the various counties as corrected by county boards of equalization, and to raise or lower for the purpose of state equalization the valuations therein established by county assessors and county boards of equalization, on any class or piece of property in whole or in part in any county save and except those classes of property enumerated in section 5 of this act, exclusive of live stock, which shall be equalized by the said state board; and in equalizing the assessment of said property it shall be the duty of said state board of equalization to so raise or lower such valuation as to produce an aggregate assessment of all property within the state (including the property enumerated in section 5 of this act) sufficient when the state tax levy is applied thereto to produce the revenues required from taxation as shown in the budget of estimated state expenses provided for in section 8 of this act; *provided, however*, that if said state board of equalization shall fail to perform the duties enumerated in this section, the Nevada tax commission may make such equalization as will be necessary. Said board of equalization shall complete their labors on or before the thirtieth day of September, and any person whose assessment valuation has been raised by said state board of equalization may complain to the Nevada tax commission on or before the third Monday in October in said year, and said tax commission may correct or remedy any inequality or error so complained of. Showing on complaint may be made by letter or in person, and said commission may, in its discretion, require affidavits in support thereof. If any county assessor shall be unable to attend the meeting of the state board of equalization, the board of county commissioners may appoint a qualified person to act in his stead. At the meeting of the state board of equalization, as provided for in this section, in the year 1917, and annually thereafter, said state board of equalization shall fix the valuation for assessment purposes per head of all live stock in the state; and such valuation, however, shall be subject to equalization.

Tax commission and county assessors to sit as state board of equalization

Proviso

SEC. 7. At the regular session commencing on the first day of October, the Nevada tax commission for the purpose of state equalization may raise or lower any valuations theretofore established by it upon any class or piece of property, exclusive of live stock, enumerated in section 5 of this act, to conform with the equalization of assessments effected by the state board of equalization.

May regulate valuations, except live stock

SEC. 8. It shall be the duty of the state board of examiners, on or before the first Monday in May of each year, to prepare and file with the Nevada tax commission a detailed

State budget required

Commission to assess all live stock shall assess all live stock throughout the state, accepting the valuation per head for the year 1917, using the valuation theretofore established by the state board of equalization at its regular session held in August, 1916, and thereafter using the valuation per head established by the preceding session of the state board of equalization for the then current year, as provided for in section 6 of this act, and shall establish the valuation on any property of an interstate or inter-county nature, and which shall in any event include: The property of all interstate or intercounty railroads, sleeping-car, private car line, street railway, traction, telegraph, water, telephone, and electric light and power companies, together with the franchises, and the property and franchises of all express companies operating on any common carrier in this state, and which foregoing, exclusive of live stock, shall be assessed as follows: Said commission shall establish and fix the valuation of the franchise, and all physical property used directly in the operation of any such business of any such company in this state, as a collective unit; and if operating in more than one county, on establishing such unit valuation for the collective property, said commission shall then proceed to determine the total aggregate mileage operated within the state and within the several counties thereof, and so apportion the same upon a mile-unit valuation basis, and the number of miles so apportioned to any county shall be subject to assessment in that county according to the mile-unit valuation so established by said commission. The word "company" shall be construed to mean and include any person or persons, company, corporation, or association engaged in the business described. In case of the omission by said commission to establish a valuation for assessment purposes upon any property mentioned in this section, it shall be the duty of the assessors of any counties wherein such property is situated to assess the same. All other property shall be assessed by the county assessors. On or before the first Monday in June it shall be the duty of the said commission to transmit to the several assessors the assessed valuation found by it on such classes of property as are enumerated in this section, together with the apportionment of each county of such assessment. The several county assessors shall enter on the roll all such assessments transmitted to them by the Nevada tax commission.

Railroads, etc.

Franchises

Mile-unit valuation

"Company" defined

Tax commission and county assessors to sit as state board of equalization

SEC. 6. Beginning on the third Monday of August the said commission shall, together with the county assessors of the several counties of this state, sit in Carson City as a state board of equalization. The chairman of the said commission shall be the chairman of the said board of equalization, and each member of said commission and each of the county assessors shall have a vote upon said board. The secretary of the Nevada tax commission shall act as the secretary of

the state board of equalization. The actual necessary expenses of the county assessors in attending the meeting of the said board of equalization shall be paid by the respective counties. At such meeting it shall be the duty of the state board of equalization to review the tax rolls of the various counties as corrected by county boards of equalization, and to raise or lower for the purpose of state equalization the valuations therein established by county assessors and county boards of equalization, on any class or piece of property in whole or in part in any county save and except those classes of property enumerated in section 5 of this act, exclusive of live stock, which shall be equalized by the said state board; and in equalizing the assessment of said property it shall be the duty of said state board of equalization to so raise or lower such valuation as to produce an aggregate assessment of all property within the state (including the property enumerated in section 5 of this act) sufficient when the state tax levy is applied thereto to produce the revenues required from taxation as shown in the budget of estimated state expenses provided for in section 8 of this act; *provided, however*, that if said state board of equalization shall fail to perform the duties enumerated in this section, the Nevada tax commission may make such equalization as will be necessary. Said board of equalization shall complete their labors on or before the thirtieth day of September, and any person whose assessment valuation has been raised by said state board of equalization may complain to the Nevada tax commission on or before the third Monday in October in said year, and said tax commission may correct or remedy any inequality or error so complained of. Showing on complaint may be made by letter or in person, and said commission may, in its discretion, require affidavits in support thereof. If any county assessor shall be unable to attend the meeting of the state board of equalization, the board of county commissioners may appoint a qualified person to act in his stead. At the meeting of the state board of equalization, as provided for in this section, in the year 1917, and annually thereafter, said state board of equalization shall fix the valuation for assessment purposes per head of all live stock in the state; and such valuation, however, shall be subject to equalization.

Tax commission and county assessors to sit as state board of equalization

Proviso

SEC. 7. At the regular session commencing on the first day of October, the Nevada tax commission for the purpose of state equalization may raise or lower any valuations theretofore established by it upon any class or piece of property, exclusive of live stock, enumerated in section 5 of this act, to conform with the equalization of assessments effected by the state board of equalization.

May regulate valuations, except live stock

SEC. 8. It shall be the duty of the state board of examiners, on or before the first Monday in May of each year, to prepare and file with the Nevada tax commission a detailed

State budget required

budget estimate of the aggregate amount of money necessary to be raised by taxation, and from other sources of revenue, to maintain the government of the state upon a cash basis.

Secretary to
certify
charges

SEC. 9. The secretary of the Nevada tax commission shall certify any change in the assessed valuation of any piece or class of property in whole or in part made by the tax commission or the state board of equalization to the auditor of the county wherein such property is assessed and said auditor shall make such changes in the assessment roll prior to the delivery of his completed tax roll to the ex officio tax receiver.

Taxpayers
not deprived
of legal
redress

SEC. 10. No taxpayer shall be deprived of any remedy or redress in a court of law relating to the payment of taxes, but all actions at law shall be for redress from the findings of said commission or the state board of equalization, and may not be instituted upon the act of an assessor, or of a county board of equalization or the state board of equalization until said commission has denied the complainant redress. Said Nevada tax commission, in that name, may sue and be sued, and shall be so named as defendant in any action at law brought under the provisions of this section, and the attorney-general shall defend the same, but the burden of proof shall be upon the complainant to show by clear and satisfactory evidence that any valuation established or equalized by said commission or the state board of equalization is unjust and inequitable.

Method of
paying
taxes if
proceedings
are
instituted

SEC. 11. (a) Any property owner whose taxes exceed the sum of \$300, who has instituted a court proceeding for redress from any increased valuation of his property for assessment purposes, and who shall have paid his December installment of taxes thereon in full, may, on filing with the treasurer of the county a certificate of the clerk of any court that such issue is pending, pay his June installment in two separate payments, to wit: One payment in a sum which, when added to the December installment, shall represent the amount of taxes payable if computed on the valuation of the preceding tax year plus the taxes on any improvements added since such preceding levy; and the other for the balance required to make up the full June installment; and said county treasurer shall receipt for the latter as a special deposit to be held by such treasurer undisbursed until the court, by its finding, shall award it; and said property in such case shall not be liable for any penalty under the delinquent tax act; and if the court, by its findings reduces the assessment of such property, said county treasurer, on order of the court, shall refund from such special deposit an amount corresponding to such reduction; and if the court shall not reduce the valuation of said property, then said county treasurer shall transfer the entire special deposit to the public revenues.

(b) Any property owner whose taxes are less than \$300, and who has paid his December installment of taxes in

full, may, on filing with the treasurer of the county a certificate of the secretary of the Nevada tax commission that he has made complaint or applied to said commission for redress from any increased valuation of his property, pay his June installment in two separate payments, one payment in the sum which, when added to the December installment, shall represent the amount of taxes payable if computed on the valuation of the preceding tax year plus the taxes on any improvements added since such preceding levy, and the other for the balance required to make up the full June installment; and the county treasurer shall receipt for the latter as a special deposit, to be held by such treasurer undisbursed until the Nevada tax commission shall, by its findings, grant or refuse redress from such increased valuation, and said property owner, in such case, shall not be liable for any penalty under the delinquent tax act; and if the Nevada tax commission, by its findings, reduces the assessment valuation of such property, said county treasurer, on order of said commission, shall refund from such special deposit an amount corresponding to such reduction, and shall transfer the remainder to the public revenues; and if said commission shall not reduce the valuation of said property, then said county treasurer shall transfer the entire special deposit to the public revenues. Nothing in this section shall be deemed to deprive any taxpayer of any right or remedy he may now have or be entitled to under the laws of Nevada.

Method of paying when owner has applied to commission for redress

(c) Any property owner, whose taxes exceed the sum of \$300, and the first installment of which is in excess of the amount which he claims to be justly due for taxes, may pay his installment of taxes as they become due under protest, and may commence a suit against the state and county in which the same was paid for the difference between the amount of the taxes paid and the amount which he claims to be due. In an action by or against the person assessed he may complain or defend upon the following grounds:

Property owner may sue, when

- (1) That the taxes have been paid before the suit; or
- (2) That the property is exempt from taxation under the provisions of the revenue or tax laws of the state specifying in detail the claim of exemption; or
- (3) That the person assessed was not the owner and had no right, title or interest in the property assessed at the time of assessment;
- (4) That the property is situate in and has been duly assessed in another county and the taxes thereon paid; or
- (5) Fraud in the assessment or that the assessment is out of proportion to and above the actual cash value of the property assessed; or the assessment is out of proportion to and above the percentage of valuation fixed by the Nevada tax commission for the year in which the taxes were levied and the property assessed; *provided, however*, that in all cases mentioned in this paragraph where the complaint is based

Grounds for action

upon any grounds mentioned herein the entire assessment shall not be declared void, but shall only be void as to the excess in valuation; *provided further*, that in every action brought under the provisions of this section the burden of proof shall be upon the plaintiff to show by clear and satisfactory evidence that any valuation established or equalized by the Nevada tax commission, or the state board of equalization, or the county assessor, or the county board of equalization is unjust and inequitable.

Limited to
three months

Every action commenced under and by virtue of the provisions of this section shall be commenced within three months from the date of the payment of the last installment of taxes, and if not so commenced shall be forever barred.

Distribution
or appor-
tionment
of taxes not
prevented

Nothing in this section or in any remedy granted hereby shall prevent the distribution or apportionment of the taxes so paid into the various funds of the state and county, but in the event of judgment in favor of the plaintiff the amount of said judgment shall be paid out of the general fund of the state and county defendants as their liability may appear. The county treasurer or tax receiver in making settlement with the state shall notify the state controller of the amount of state tax moneys which were paid under protest and an amount equivalent thereto shall be thereby deemed to be and is hereby appropriated for the purpose of paying any judgment recovered against the state in an action under the provisions of this section.

All property
assessed at
full cash
value

SEC. 12. All property subject to taxation shall be assessed at its full cash value.

Proceeds of
mines
assessed

SEC. 13. In pursuance of the general supervision and control over the revenue system of the state, said commission is hereby empowered to investigate and determine the net proceeds of all operating mines. In pursuance whereof, said commission, in each instance, shall investigate and determine from all obtainable data, evidence, and reports, the gross value of the bullion actually extracted from the reduction of the ores and the proceeds from the sale of the ores of any mine, mining claim, or patented mine, and to deduct therefrom only such actual costs of extraction, transportation, reduction, or sale of ores, as shall be deemed by said commission to be just, proper, and reasonable, and not introduced to deprive or defraud the state of any portion of its just revenue; and in any suit at law arising under the provisions of this section, the burden of proof shall be upon the owner of such mine, mining claim, or patented mine, to establish that any item of cost disallowed by said commission is, nevertheless, just, proper, and reasonable, and not entered to defraud the state.

Provisions of
this act
mandatory

SEC. 14. All the provisions of this act with respect to county assessors, sheriffs, as ex officio collectors of licenses, county commissioners, county auditors, and all other county officers having to do with the preparation of the assessment

roll or collection of taxes or other revenues, and persons summoned as witnesses, the requirement of witnesses to testify, the examination of the books and accounts of persons, copartnerships, and corporations doing business in this state, are mandatory; and any such county officer, or witness summoned, or witness required to testify, or person, copartner, or officer, director, superintendent, or manager, or agent of any corporation, who neglects, fails or refuses to comply with such mandates shall, for the first offense, be deemed guilty of a misdemeanor, and subject to the penalty prescribed in section 6285, Revised Laws of Nevada; and for persistence therein, constituting a second offense, shall be deemed guilty of a gross misdemeanor, and subject to the penalty prescribed in section 6284 of said Revised Laws. Any person who shall testify falsely shall be guilty of and punished for perjury.

Penalty for refusal

SEC. 15. All acts herein required between the assessment and the collection of the taxes or commencement of suit shall be directory merely; and no assessment, or act relating to assessment, or collection of taxes shall be illegal on account of informality, nor because the same was not completed within the time required by law.

Informalities not to invalidate

SEC. 16. The governor and the associate railroad commissioner shall receive no compensation for their services as members of the Nevada tax commission. The secretary shall receive a salary of three thousand dollars, payable in equal monthly installments as other state officers are paid. Each of the other five commissioners mentioned in section 1 of this act shall receive a salary of six hundred dollars (\$600) per annum, payable in equal monthly installments as other state officers are paid.

Salary of secretary and commissioners

SEC. 17. The members of the said commission, and such expert assistants as may be employed, shall be entitled to receive from the state their actual and necessary expenses while traveling on the business of said commission.

Actual expenses allowed

SEC. 18. The sum of seven thousand dollars (\$7,000) is hereby annually appropriated, out of any moneys in the state treasury not otherwise appropriated, to carry out the purposes of this act, and which shall be available for necessary clerical hire, office furniture and fixtures, advertising, rental and traveling and other expenses. All such expenditures shall be certified to by the chairman of said commission, and, when approved by the state board of examiners, shall be paid by the treasurer from such appropriation on warrants drawn by the controller.

Appropriation \$7,000

SEC. 19. The commission shall make and publish an annual report for each calendar year, showing its transactions and proceedings for the year.

Annual report

SEC. 20. All forms, blanks, envelopes, letterheads, circulars, and reports required to be printed by said commission shall be printed at the state printing office under the general provisions of the act entitled "An act to designate and

Printing to be done at state printing office

authorize the work to be done in the state printing office," approved March 5, 1909.

Meetings
continua-
tions of old
commission

SEC. 21. All meetings of the commission of the Nevada tax commission created under and by virtue of this act shall be deemed and shall be continuations of such meetings as are now being held or authorized by the Nevada tax commission created under and by virtue of "An act in relation to the public revenues, creating the Nevada tax commission and the state board of equalization, defining their powers and duties, and matters relating thereto, and repealing all acts and parts of acts in conflict therewith," approved March 17, 1915.

CHAP. 178—*An Act to amend an act entitled "An act creating the office of labor commissioner of this state, providing for the appointment of such commissioner and other employees, defining their duties and fixing their compensation, and providing a penalty for the violation of its provisions, and other matters relating thereto," approved March 24, 1915.*

[Approved March 23, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 1 of the above-entitled act is hereby amended to read as follows:

Labor com-
missioner
created

Section 1. There is hereby created the office of labor commissioner of the State of Nevada, and one member of the Nevada industrial commission, other than a state officer, shall be designated by the governor to act as ex officio commissioner. Said commissioner shall receive as compensation for his services as labor commissioner a salary of six hundred (\$600) dollars per annum, payable in monthly installments out of the state treasury of Nevada as other salaries are paid. Said commissioner shall receive his actual necessary traveling expenses when traveling in the discharge of his official duties, and may employ such clerical or stenographic assistance, not to exceed the sum of twelve hundred (\$1,200) dollars per annum, as may be approved by the board of examiners.

CHAP. 179—*An Act to grant the right of way to John T. Reid and his associates, their successors and assigns, for the construction and operation of a railroad within Churchill County, State of Nevada, from either the town of Hazen or Parren station therein, on or near the track of the Central or Southern Pacific Railway Company, as said trustees may select, to the Nevada United Mining Company's mines at Copper-Reid, in Churchill County; and from any point on said railroad to a point at or near Battle Mountain or Argenta station in Lander County, State of Nevada, and from the town of Hazen or Parren station, as may be selected, to a point on the Western Pacific Railroad Company's track, not yet named, in Washoe or Humboldt County, State of Nevada, and a branch line extending into the Silver Range for a distance of twenty-five miles in a general northeasterly direction from Copper-Reid or any other point on the main line of railroad, and a branch line extending in a generally northerly direction for fifty miles from Copper-Reid, and a branch line extending from said Copper-Reid, or other point on the main line of railroad, to the town of Lovelock, in Humboldt County, State of Nevada, and matters relating thereto.*

[Approved March 24, 1917]

WHEREAS, The said grantees are interested in the develop- Preamble
ment of the mineral resources of the State of Nevada, and particularly Churchill and Humboldt Counties; and

WHEREAS, They have incurred a considerable expense in surveys and otherwise in promoting the building of railroads in the counties named, and they are at this time so engaged in the expending of time and money in the promotion of such proposed lines of railroad; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The right of way, not to exceed two hundred Right of way
granted
feet in width, to locate, construct, maintain, and operate a narrow- or broad-gage railroad with iron or steel rails, together with necessary sidetracks, switches, turnouts, turntables, over and along such route as may be deemed most advantageous, from a point at or near the railroad tracks of the Central or Southern Pacific Railway Company in Churchill County, at either the town of Hazen or Parren Station, as said grantees herein may select, to the Nevada United Mining Company's mines at Copper-Reid, in said Churchill County, and from any point on said railroad to a point at or near Battle Mountain or Argenta Station in Lander County, State of Nevada, and from the town of Hazen or Parren Station, as may be selected, to a point on the Western Pacific Railroad Company's track, not yet named, in Washoe or

Right of way
granted

Humboldt County, State of Nevada, and a branch line extending into the Silver Range for a distance of twenty-five miles in a general northeasterly direction from Copper-Reid or any other point on the main line of railroad, and a branch line extending in a general northerly direction for fifty miles from Copper-Reid; and a branch line extending from said Copper-Reid, or other point on the main line of railroad to the town of Lovelock, in Humboldt County, State of Nevada, is hereby granted to John T. Reid and his associates, their successors and assigns, for the term of fifty years from the date of the passage of this act; *provided*, that the construction of said railroad be commenced within two years from the passage of this act, and that twenty-five miles of said track shall be completed on said right of way within five years from the date of the passage of this act, and such railroad completed within twenty years.

Proviso

What motive
power may
be

SEC. 2. That the motive power of said railroad may be either steam, gasoline, or electricity.

Rights and
privileges
conferred

SEC. 3. That the said John T. Reid and associates, their successors and assigns, shall have and are hereby given all the rights, privileges, and franchises conferred upon railroad companies incorporated in the State of Nevada under and pursuant of the provisions of an act entitled "An act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto," approved March 22, 1865, and the acts amendatory thereof or supplemental thereto, as far as the same are consistent with the provisions of this act.

CHAP. 180—*An Act to provide surety bonds for state, district, county, city, and township officers at public expense.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Officers may
be bonded
by surety
companies

SECTION 1. Every state, district, county and city officer within the State of Nevada, who is now required by law, or who may be hereafter required by law, to give an official bond, may have a surety company, which has complied with all the laws of this state relating to surety companies, execute such bond, pursuant to law, for the faithful performance of the duties of such office.

Premium,
how paid

SEC. 2. The premium for any such surety bond shall be paid for by the state, if the bond is required for a state officer, or by the district, county or city, as the bond may be required, out of any moneys in their respective treasuries not otherwise appropriated by law; *provided, however*, that no premium or charge shall exceed one-half of one per cent per annum on the amount of such bond; and *provided further*, that this act shall not apply to notaries public.

Provisos

SEC. 3. Whenever any of the aforesaid officials shall tender bonds of any surety company for approval to the governor, to the district judge, to the county commissioners of their respective counties, or to any official board or person required by law to approve the same, it shall be the duty of such board or person to accept such bonds, if found good and sufficient.

Duty of
board or
officer to
accept

CHAP. 181—*An Act to amend sections 2, 9, 11, 24, 25, and 27 of an act entitled "An act regulating automobiles or motor vehicles on public roads, highways, parks, or parkways, streets, and avenues, within the State of Nevada; providing a license for the operation thereof, and prescribing penalties for its violation; designating the manner of handling the receipts therefrom, and the purpose for which it may be expended, and in what manner, and repealing an act of the same title, approved March 24, 1913," approved March 24, 1915.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 2 of the above-entitled act is hereby amended so as to read as follows:

Section 2. The owner of every automobile, motorcycle, or other similar motor vehicle shall, within ten days after the acquisition of the same, file with the secretary of state a statement of his name and address, with a brief description of the vehicle to be registered, including the name of the maker, factory number, style of vehicle, and motor power. Subsequent filing shall be made by each owner of any motor vehicle on or before the first Monday in February of each year. The annual filing fee shall be as follows: For every automobile of twenty horsepower or less, three dollars; for every automobile between twenty-one and forty horsepower, inclusive, five dollars and fifty cents; for every automobile over forty horsepower, eight dollars. The annual filing fee of motorcycles shall be three dollars. Such fee shall cover state automobile and motorcycle licenses as from January 1 to December 31 of each year; *provided*, that all automobiles or motorcycles purchased after the first day of July shall only be required to pay for one-half of year as follows: For every automobile of twenty horsepower or less, one dollar and seventy-five cents; for every automobile between twenty-one and forty horsepower, inclusive, two dollars and seventy-five cents; for every automobile over forty horsepower, four dollars and twenty-five cents. Motorcycles, one-half year, one dollar and seventy-five cents.

Owners to
file statement

Subsequent
filings, when

Filing fees
classified

SEC. 2. Section 9 of the above-entitled act is hereby amended so as to read as follows:

Speed regulated

Section 9. No person shall operate a motor vehicle on a public highway at a rate of speed greater than is reasonable and proper, having regard to the traffic and use of the highway, or so as to endanger the life or limb of any person or the safety of any property. Nor shall any person incompetent to properly handle a motor vehicle nor an intoxicated person be permitted to drive the same. No person under sixteen years of age shall be permitted to drive or operate any motor vehicle in any incorporated or unincorporated city or town in this state. For a violation of this section any peace officer may arrest the driver of such motor vehicle and remove from the same the license number plate thereof, and such number plate shall not be restored to the owner thereof except upon payment of ten dollars (\$10) in addition to the fine provided by this act.

Penalty

SEC. 3. Section 11 of the above-entitled act is hereby amended so as to read as follows:

Vehicles to be fully equipped

Section 11. Every motor vehicle while in use on a public highway shall be provided with good and efficient brakes, and also with a suitable horn or other signal. Every motor vehicle other than motorcycles must exhibit, during the period from one hour after sunset to one hour before sunrise, two lamps showing white lights, visible within a reasonable distance in the direction toward which such vehicle is proceeding, and also a red light, visible in the reverse direction; *provided*, exceptions noted in section 1 of this act are required to show only one white light in the direction toward which such vehicle is proceeding; *and provided*, every automobile equipped with and using electric light or lights upon any of the public highways of this state shall be provided and equipped with some practical and efficient device or devices whereby the forward light or lights of such vehicle may be dimmed or lessened at the will of the driver or chauffeur to such an extent that such electric light or the reflection therefrom through said forward light or lights will not interfere with the sight of nor temporarily blind the vision of the driver of an approaching vehicle; and it shall be the duty of every chauffeur or driver of such automobile equipped with and using electric lights upon the public highways of this state to effectually apply such dimmer to the forward light or lights of the vehicles being driven by him and cause such light or lights to be dimmed and lessened so as not to interfere with the sight or temporarily blind the vision of the driver of any approaching vehicle; *provided*, that any headlight that does not cast a blinding light or a beam of light over forty-two inches above the road, shall be deemed to comply with the requirements of this section; *and provided further*, exceptions also noted in section 12 of this act.

Provisos

SEC. 4. Section 24 of the above-entitled act is hereby amended so as to read as follows:

Section 24. Fees received by the secretary of state as in this act provided, shall be paid semiannually to the state treasurer, which moneys shall be by said state treasurer placed in the state highway fund as defined by law to be used by the department of highways in the building, improvement and care of state highways; *provided*, that fees collected from owners of automobiles residing in any county not included in the state highway system as defined by law, shall be paid to the treasurer of such county semiannually, to be there placed in an "Automobile Road Repair Fund," to be disbursed at such times in such amounts and in such manner as the board of county commissioners of such county may direct; *provided further*, that all money now in the automobile road fund of the State of Nevada created by the act approved March 24, 1913, shall be paid over to the state treasurer and by him likewise placed in the state highway fund as defined by law, and to be used by the department of highways in the manner above provided.

Fees to go to highway fund

Provisos

SEC. 5. Section 25 of the above-entitled act is hereby amended so as to read as follows:

Section 25. For the purpose of defraying actual expenses in procuring license plates and record books, and for payment of necessary postage and incidental and contingent expenses, beginning January 1, 1917, the sum of fifty (50c) cents will be deducted from the payment for each motor vehicle license issued under this act and paid quarterly into the state treasury to be there placed in motor vehicle license expense fund, to be drawn upon for such expenditures as noted in this section after the claims have been favorably passed upon by the board of examiners, as other state claims are acted upon; any and all moneys remaining in this fund shall be transferred to the general fund on the 31st of December of each year. The state controller is directed to draw his warrants and the state treasurer is instructed to pay the same.

Actual expenses, how paid

SEC. 6. Section 27 of the above-entitled act is hereby amended so as to read as follows:

Section 27. For issuing duplicate license plate to an owner, the secretary of state is authorized to make an extra charge of \$1.

Fee for duplicate plate

CHAP. 182—*An Act authorizing and empowering the city council of the city of Reno, in the county of Washoe, State of Nevada, to dispose of certain parcels of real estate.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The city council of the city of Reno is hereby authorized and empowered to act as follows:

City of Reno
authorized to
make sale of
property

To grant, bargain and sell to Reno school district No. 10, for the sum of twelve thousand (\$12,000) dollars, all of the following-described property in the city of Reno, county of Washoe, State of Nevada: All of lots seven (7) and eight (8) and a fraction of lot six (6) in block H, fronting one hundred and twenty-one and five-twelfths ($121\frac{5}{12}$) feet, more or less, on the west line of Center street, bounded on the north by Ryland street, and extending in depth westerly one hundred and thirty (130) feet to an alley, saving and excepting therefrom, however, a piece of land in the northwest corner of said lot eight (8) feet of rectangular form, and fronting eight (8) feet on Ryland street and twelve (12) feet on said alley; the same being conveyed by Charles H. Rulison and wife to the city of Reno by deed, recorded in book 32 of deeds, page 169, in the office of the county recorder of Washoe County, Nevada; *provided, however*, that if the said Reno school district No. 10 shall not within thirty days after the passage of this act notify the city council of the city of Reno, in writing, of their intention to purchase said property on the terms aforesaid, or if after having so signified their intention they thereafter fail to issue bonds within the shortest time allowed them by law, which shall not be later than July 1, 1917, in which to issue bonds to secure the funds to pay the twelve thousand dollars (\$12,000) aforesaid, or otherwise have the said twelve thousand dollars (\$12,000) advanced to them, then in that event said property shall be sold at public auction by the mayor of the city of Reno in front of the city hall on First street in the said city of Reno, after notice of said sale shall have been given by publication for a period of ten days in a newspaper published daily in the city of Reno, in which notice of the time and place of said sale shall be stated and said property shall be sold to the highest responsible bidder; *provided*, said sale be approved by the mayor and city council at the next subsequent meeting of said city council. The holding of one said auction shall not exhaust the authority granted under the provisions of this act, but additional auction sales may be held in accordance with the terms hereof.

Provision

CHAP. 183—*An Act defining certain duties of county auditors, county treasurers, and the state controller, and providing penalties for the violation thereof.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Duties of
county
auditors

SECTION 1. It is hereby made the duty of the county auditor of each and every county in this state to prepare and forward to the state controller, at the times and in the manner hereinafter prescribed, the following statements:

(a) On the first day of December of each year a statement showing separately the valuation, rates of taxation and amounts of state and county taxes levied, with the totals thereof, of all property listed on the assessment rolls of his county for that year; *provided*, that so far as the proceeds of mines roll is concerned, the term "that year" is hereby construed to mean the first three quarters of the current year and the last quarter of the preceding year.

Duties of
county
auditors

(b) On the first day of August of each year a statement showing separately the valuation, rates of taxation, amount of taxes levied, amount collected, amount delinquent subject to redemption, amount stricken from rolls by commissioners, and amount held in trust by county treasurer, with the totals thereof, of all property listed on the assessment rolls of his county for the preceding year; the term "preceding year" being the same period of time as "that year" mentioned in subdivision (a) of this section.

(c) On the first day of December of each year a statement showing the indebtedness of such county, bonded and floating, with the amount of each class and the rate of interest borne by such indebtedness, or any part thereof; the amount of cash in the county treasury; a careful estimate of the value of all property owned by the county; the number of poll-taxes collected; and the number of registered voters.

(d) On the third Monday of June and December of each year a report, with a duplicate thereof, both of which shall be also certified by the county treasurer, showing specially the total amount collected, and the amount due the state from each particular source of revenue for the preceding six months.

(e) The county auditor in each county in the state shall, on or before the tenth day of April, July and October of each year, make a statement and report to the board of county commissioners showing the whole amount of collections (stating particularly the source of each portion of the revenue) from all sources paid into the county treasury during the quarter next preceding; the funds among which the same are distributed and the amount to each; the total amount of warrants drawn and paid on what funds; the total amount of warrants drawn and unpaid; the accounts or claims audited or allowed and unpaid and the fund out of which they are to be paid; and generally making a full and specific showing of the fiscal condition of the county.

(f) On or before the tenth day of January of every year the county auditor in each county in the state shall make a similar statement and report to the board of county commissioners covering the entire year next preceding. Such report shall be printed in pamphlet form and mailed, one copy each, to each of the taxpayers named and listed on the assessment roll of the county.

SEC. 2. The county treasurer of each and every county in

Duties of
county
treasurers

this state shall, on the third Monday of June and December of each year, settle in full with the state controller, and send to the state treasurer all funds which shall have come into his hands as county treasurer for the use and benefit of the state, taking therefor a receipt from the state treasurer. He shall hold himself in readiness to settle and pay all moneys in his hands belonging to the state at all other times whenever required to do so by order signed by the state controller, who is hereby authorized to draw such order whenever he deems it necessary.

Duties of
state
controller

SEC. 3. The state controller shall enter upon the semi-annual reports mentioned in subdivision (d) of section 1 of this act the cash paid the state treasurer and the amount of credits allowed; and the county treasurer shall thereafter file the duplicate report with the county auditor, whereupon the auditor shall balance the treasurer's account. Such further and additional statements may be required by the state controller as in his judgment he deems necessary.

CHAP. 184—*An Act amendatory of and supplemental to an act entitled "An act to create a state board of accountancy and prescribe its powers and duties; to provide for the examination of and issuance of certificates of applicants, with the designation of certified public accountants, to provide for examination of state, county and city accounts, and to provide the grade of penalty for violations of the provisions hereof," approved March 24, 1913.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The above-entitled act is hereby amended by adding thereto section 3a, as follows:

Certified
public
accountants,
who may be

Section 3a. Any citizen of the United States, or any person who has declared his intention of becoming such citizen, being over the age of twenty-one years and of good moral character, who has complied with the rules and regulations of the board appertaining to such cases, and who holds a valid and unrevoked certificate as a certified public accountant, or the equivalent thereof, issued by or under the authority of any other state of the United States, or the District of Columbia, or any territory of the United States, or by or under the authority of a foreign nation, when the board shall be satisfied that their standards and requirements for a certificate as a certified public accountant are substantially equivalent to those established by the act of which this act is an amendment may, at the discretion of the board, receive a certificate as a certified public accountant, and such person may thereafter practice as a certified public accountant and

assume and use the name, title, and style of "Certified Public Accountant," or any abbreviation or abbreviations thereof, in the State of Nevada; *provided, however*, that such other Proviso state, territory or nation extends similar privileges to certified public accountants of the State of Nevada.

CHAP. 185—*An act to provide for extending the use of the state library.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The state librarian shall have prepared an author and subject catalogue, which shall contain every book in the miscellaneous department of the state library. It shall also contain all rules and regulations relating to said library, and shall be published in the state printing office in pamphlet form, the number of copies of said pamphlet to be designated by the state library commission. The cost of preparing and publishing this catalogue shall not exceed the sum of \$2,500. A copy of this catalogue shall be sent to every school library in the State of Nevada, and to any resident of the state who may apply for same. Whenever any resident of the state, who is vouched for by any resident property taxpayer of the state (who shall be the surety hereafter mentioned) outside his immediate family, shall apply for any book named in the catalogue, the librarian shall send said book to said party prepaid. Librarian to prepare author and subject catalogue

SEC. 2. The party borrowing the book shall, after retaining it for a period not to exceed four weeks, return same, prepaid, to the state library. Failure to return said book within the time specified shall subject the holder to a fine of ten cents per day for every day that the book is retained in excess of the time specified, and should such retention exceed a period of twenty days the state librarian shall declare all the privileges of such delinquent borrower under this act forfeited, and the fine shall be paid by the surety of the borrower, and should any book be damaged or lost the cost of the book or the damage thereto must be made good by the surety, who shall be held liable to the state. The state librarian may, at his discretion, send out books by insured mail or by express and require that they be returned in the same way. Residents may borrow books

SEC. 3. In like manner any school district in the State of Nevada may, through application by the teacher thereof, or where a principal is employed, by the principal thereof, or a member of the board of trustees, borrow books, not to exceed in number twelve at any one time, and for a period not to exceed four weeks, except that no personal surety shall be required. In case of any penalty being incurred the School districts may borrow books

same shall be a first claim against the library fund of such district until the same shall be paid in full.

SEC. 4. The state printer is hereby required to print the catalogue of the library and other matters pertaining thereto and such supplements to this catalogue from time to time as the state library commission may designate.

SEC. 5. All fines and penalties provided for in this act shall be paid into the state library fund, and duly accredited thereto.

SEC. 6. The state library commission shall draw upon the state library fund for all moneys needed to carry this law into effect and maintain the work incidental thereto, including printing the catalogue and supplements; *provided*, that the amount so expended for the years 1917 and 1918 shall not exceed the sum of \$2,500.

CHAP. 186—*An Act granting aid to the State Agricultural Society for the purpose of holding state fairs during the years 1917 and 1918, and to erect, maintain and improve the buildings and grounds of the society.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of six thousand dollars for each of the years 1917 and 1918 is hereby appropriated, out of any moneys in the general fund of the state treasury not otherwise specifically appropriated, to aid the Nevada State Agricultural Society in holding annual fairs in each of said years.

SEC. 2. The sum of four thousand dollars is hereby appropriated out of any moneys in the general fund of the state treasury not otherwise specifically appropriated to aid the Nevada State Agricultural Society in erecting, maintaining and improving the state fair buildings and grounds in the county of Churchill.

SEC. 3. The moneys appropriated in section 1 of this act shall be used for the payment of the fire insurance premiums on state property under the control of the state agricultural society and for the payment of such premiums as may be awarded at the above-mentioned state fairs and for such purposes as said society may, through its board of directors, deem just and proper; *provided*, none of the moneys by this act appropriated shall be used by said board of directors, either directly or indirectly, to pay any purse or purses for racing.

CHAP. 187—*An Act to amend an act entitled "An act to amend section 8 of an act entitled 'An act to regulate the sale and use of poisons in the State of Nevada, and providing a penalty for the violation thereof,' approved March 24, 1913, as amended by act approved March 12, 1915," approved February 20, 1917.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of the above-entitled act is hereby amended to read as follows:

Section 1. Section eight of said act is hereby amended to read as follows:

Section 8. It shall be unlawful for any person, firm, or corporation to sell, furnish or give away, or offer to sell, furnish or give away, or to have in their or his possession any cocaine, opium, yen shee, morphine, codeine, heroin, alpha eucaine, beta eucaine, nova caine, anhalonium (peyote or mescal button), cannabis sativa (Indian hemp or loco weed), or chloral hydrate, or any of the salts, derivatives, or compounds of the foregoing substances, or any preparation or compound containing any of the foregoing substances or their salts, derivatives, or compounds excepting upon the written order or prescription of a physician, dentist, or veterinary surgeon licensed to practice in this state, which order or prescription shall be dated and shall contain the name of the person for whom prescribed, written in by the person writing said prescription, or if ordered by a veterinary surgeon it shall state the kind of animal for which ordered and shall be signed by the person giving the prescription or order. Such order or prescription shall be permanently retained on file by the person, firm, or corporation who shall compound or dispense the articles ordered or prescribed, and it shall not be again compounded or dispensed if each fluid or avoirdupois ounce contains more than eight grains of opium, or one grain of morphine, or two grains of codeine, or one-half grain of heroin, or one grain of cocaine, or one grain of alpha eucaine, or one grain of beta eucaine, or one grain of nova caine, or sixty grains of chloral hydrate, excepting upon the written order of the prescriber for each and every subsequent compounding or dispensing. No copy or duplicate of such written order or prescription shall be made or delivered to any person, but the original shall be at all times open to inspection by the prescriber and properly authorized officer of the law, and shall be preserved for at least three years from the date of the filing thereof; *provided*, that the above provisions shall not apply to sales at wholesale by jobbers, wholesalers and manufacturers to pharmacies legally licensed and doing business under the laws of the State of Nevada, or physicians, nor to each other, nor to the sale at retail by

Regulating
traffic in
poisons and
narcotic
drugs

Proviso

Wholesalers to keep record pharmacies to physicians, dentists, or veterinary surgeons duly licensed to practice in this state; *provided further*, that all such wholesale jobbers, wholesalers, and manufacturers, in this section mentioned, shall before delivery to any person, firm, or corporation of any of the articles in this section enumerated, make or cause to be made in a book kept for that purpose only, an entry of the sale of any such article, stating the date of such sale and quantity and name of the article and form in which sold, the true name and true address of the purchaser, the name of the person by whom such entry and sale was made, also a statement showing how delivery was had, whether delivered personally or forwarded by mail, express or freight, which book shall be substantially as follows:

Form of record

Date of Sale	Quantity and Name of Article	Name of Purchaser	How Delivered	Name of Person Selling
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Open to inspection by officers and citizens

And said books shall always be open for inspection by any peace officer or citizen, or any member of the board of pharmacy, or any inspector by them authorized, and such books shall be preserved for at least five years after the date of the last entry therein. It shall be unlawful for any practitioner of medicine, dentistry, or veterinary surgeon to furnish to, or prescribe for the use of, any habitual user of the same, any cocaine, opium, morphine, codeine, heroin, anhalonium, cannabis sativa, or chloral hydrate, or any salt, derivative, or compounds, and it shall be unlawful for any practitioner of dentistry to prescribe any of the foregoing substances for any person not under his treatment in the regular practice of his profession, or for any veterinary surgeon to prescribe any of the foregoing substances for the use of any human being; *provided, however*, that the provisions of this section shall not be construed to prevent any duly licensed physician from furnishing or prescribing in good faith as their physician by them employed as such, for any habitual user of any narcotic drugs who is under his professional care, such substances as he may deem necessary for their treatment, when such prescriptions are not given or substances furnished for the purpose of evading the purposes of this act; *provided*, that the above provisions shall not apply to preparations sold or dispensed without a physician's prescription containing less than two grains of opium, or one-fourth grain of morphine, or one-half grain of codeine, or one-sixth grain of eucaïne, or one-sixth grain of nova caine, or one-sixth grain beta eucaïne, or ten grains chloral hydrate, or four grains of Indian hemp in one fluid ounce, or if a solid preparation in one avoirdupois ounce, or to the sale of strychnine or other poisons for the purpose of destroying noxious wild animals; and it is further *provided*, that it shall be the duty of every proprietor or manager of a pharmacy or drug store, within the State of Nevada, to keep a true and correct record of all

Preparations of certain strength not prohibited

Drug store owners to keep record

orders forwarded to wholesalers, jobbers or manufacturers or traveling salesmen for the purchase of, in any manner, any cocaine, opium, yen shee, morphine, codeine, heroin, alpha eucaine, beta eucaine, nova caine, anhalonium, cannabis sativa or chloral hydrate, or any salt, derivative or compound thereof, within the meaning of the provisions of this act; *provided further*, that a true and correct copy of all orders, forwarded by U. S. mail or otherwise, or given personally any traveling salesmen for narcotic drugs, as specified in this section, shall be forwarded by registered mail to the secretary of the Nevada state board of pharmacy, within twenty-four hours after the forwarding of such order direct or through a representative or traveling salesman; *and provided further*, the taking of any order, or making of any contract or agreement, by any salesman or representative, or any employee or person, firm or corporation, for future delivery in this state, for any of the articles or drugs mentioned in this section shall be deemed a sale of said articles or drugs by said traveling representative or employee within the meaning of the provisions of this act; *provided further*, that a true and correct copy of all orders, contracts or agreements taken for narcotic drugs specified in this section by any traveling representative or employee shall likewise be forwarded by such traveling representative or employee by registered mail to the secretary of the Nevada state board of pharmacy within twenty-four hours after the taking of such order, contract or agreement, unless such order, contract or agreement is recorded by entry in a book used for that purpose only by some wholesale jobber, wholesaler or manufacturer permanently located in this state, as provided for in this section.

Copy of order must be sent state board of pharmacy immediately

Drummer to notify state board

Exception as to Nevada wholesaler

CHAP. 188—*An Act to amend an act entitled "An act in relation to money of account and interest," approved November 28, 1861.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 4 of the above-entitled act is hereby amended so as to read as follows:

Section 4. When there is no express contract in writing fixing a different rate of interest, interest shall be allowed at the rate of seven per cent per annum upon all money from the time it becomes due, in the following cases:

Interest 7% unless otherwise expressed

(a) Upon contracts, express or implied, other than book accounts.

(b) Upon the settlement of book or store accounts from the day on which the balance is ascertained.

(c) Upon judgments rendered by a court in this state.

Interest 7%
unless
otherwise
expressed

(d) Upon money received to the use and benefit of another and detained without his consent.

(e) Upon wages or salary, if the same shall be unpaid when due, after demand therefor has been made.

CHAP. 189—*An Act to amend an act entitled "An act relating to the state university and matters properly connected therewith," approved February 7, 1887.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Number of
regents and
how elected

SECTION 1. Section 2 of the above-entitled act is hereby amended to read as follows:

Governor to
fill vacancies

SECTION 2. The board of regents of the state university shall consist of five members. At the general election held in 1918 there shall be elected three regents, one of who shall hold office for the term of ten years, another for term of eight years, and the third for the term of six years. At the general election held in 1920 there shall be elected two regents, one of whom shall hold office for the term of ten years and the other for the term of two years. Thereafter, at each general election, there shall be elected one regent, who shall hold office for the term of ten years. The persons elected as regents under the provisions of this act, before entering upon the discharge of the duties of the office of regent, shall take and subscribe the official oath and file the same in the office of the secretary of state. In case of a vacancy in the board of regents the governor shall fill the same by the appointment of a qualified person to serve until the expiration of the term for which the regent, whose death, resignation, removal or, as the case may be, shall have caused the vacancy, was originally elected. The term of office of each regent shall begin on the first Monday in January next succeeding the date of his election.

CHAP. 190—*An Act to amend section eight of an act entitled "An act to provide a water law for the State of Nevada; providing a system of state control; creating the office of state engineer and other offices connected with the appropriation, distribution, and use of water; prescribing the duties and powers of the state engineer and other officers, and fixing their compensation; prescribing the duties of water users, and providing penalties for failure to perform such duties; providing for the appointment of water commissioners, defining their duties, and fixing their compensation; providing for a fee system, for the certification of records, and an official seal for the state engineer's office; providing for an appropriation to carry out the provisions of this act; and other matters properly connected therewith; and to repeal all acts and parts of acts in conflict with this act, repealing an act to provide for the appropriation, distribution, and use of water, and to define and preserve existing water rights, to provide for the appointment of a state engineer, an assistant state engineer, and fixing their compensation, duties and powers, defining the duties of the state board of irrigation, providing for the appointment of water commissioners and defining their duties, approved February 26, 1907; also repealing an act amendatory of a certain act entitled 'An act to provide for the appropriation, distribution, and use of water, and to define and preserve existing water rights, to provide for the appointment of a state engineer and assistant state engineer, and fixing their compensation, duties, and powers, defining the duties of the state board of irrigation, providing for the appointment of water commissioners, and defining their duties, approved February 26, 1907, and to provide a fee system for the certification of the records of, and an official seal for, the state engineer's office, and other matters relating thereto,' approved February 20, 1909," approved March 22, 1913.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section eight of the above-entitled act is hereby amended so as to read as follows:

Section 8. Rights to the use of water shall be limited and restricted to so much thereof as may be necessary, when reasonably and economically used for irrigation and other beneficial purposes, irrespective of the carrying capacity of the ditch; and all the balance of the water not so appropriated shall be allowed to flow in the natural stream from which such ditch draws its supply of water, and shall not be considered as having been appropriated thereby; and in case the owner or owners of any such ditch, canal or reservoir

Regulations
as to use
and appro-
priation
of water

shall fail to use the water therefrom for beneficial purposes for which right exists during any five successive years, the right to use shall be considered as having been abandoned, and they shall forfeit all water rights, easements and privileges appurtenant thereto, and the water formerly appropriated by them may be again appropriated for beneficial use, the same as if such ditch, canal or reservoir had never been constructed.

CHAP. 191—*An Act to provide for the establishment of evening schools.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Evening
schools
authorized

SECTION 1. The state superintendent of public instruction shall authorize any local board of school trustees to establish evening schools in any school district whenever fifteen or more *bona fide* applicants residing therein shall petition him in writing for the same. Such schools shall be open to native and foreign-born youths and adults, and the courses of instruction therein given shall be approved by the state board of education.

Board of
trustees to
employ
teachers

SEC. 2. The board of trustees in any district in which such evening school is held shall employ the necessary teachers therefor; and said board shall also provide suitable rooms with adequate lighting and heating. Teachers employed in such evening schools must hold legal certificates for corresponding work in the public day schools, or special evening-school certificates, which are hereby authorized, from the state board of education.

Number of
teachers
limited

SEC. 3. No more than one teacher shall be employed for each fifteen persons enrolled in any such evening school. At the end of each school month the board of trustees having charge thereof shall certify the month's enrollment and average nightly attendance to the state superintendent of public instruction. The State of Nevada shall pay said teachers at the rate of not more than one dollar per hour of actual teaching in said evening schools, or not more than forty dollars per month; *provided*, that when the average monthly attendance falls below ten students per teacher a sufficient number of teachers must be retired to maintain such an average.

Compensa-
tion

Provided

Appropriation,
\$10,000

SEC. 4. The sum of ten thousand dollars is hereby appropriated from the state school fund to carry out the provisions of this act; and claims against said appropriation shall be paid as other claims against the state are paid, upon certificate by the state superintendent of public instruction.

SEC. 5. On the written orders of a board of school trustees

having established an evening school the county auditor shall issue warrants upon the county treasurer for the payment of just claims for equipment and maintenance, and for additional salary of teachers in amounts not to exceed those paid such teachers by the state, all of which claims are hereby made just and legal charges against the general fund of the county; and the county treasurer is hereby authorized and directed to pay the same.

Indebted-
ness, how
paid

CHAP. 192—*An Act to amend an act entitled "An act to regulate the settlement of the estate of deceased persons," approved March 23, 1897, and to repeal all acts in conflict herewith.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section thirty-eight of said act, being section 5894, Revised Laws, is hereby amended to read as follows:

Section 38. Administration of the estate of a person dying intestate shall be granted to some one or more of the persons hereinafter mentioned, and they shall be respectively entitled in the following order:

How estate
of intestate
distributed

First—The surviving husband or wife, or such person as he or she may request to have appointed.

Order of
distribution

Second—The children.

Third—The father, or the mother.

Fourth—The brother.

Fifth—The sister.

Sixth—The grandchildren.

Seventh—Any other of the kindred entitled to share in the distribution of the estate.

Eighth—The creditors.

Ninth—The public administrator.

Tenth—Any of the kindred not above enumerated, within the fourth degree of consanguinity.

Eleventh—Any person or persons legally competent.

SEC. 2. This act shall take effect January 1, 1919.

In effect Jan.
1, 1919

CHAP. 193—*An Act requiring the examination of all school children to ascertain if they have defective eyesight or hearing, or diseased teeth, or if they are addicted to mouth-breathing.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. *Duty of Teacher.* It shall be the duty of all teachers engaged in teaching in the public schools of the

Teacher to
examine
children for
defective
teeth or
mouth
breathing

state separately and carefully to test and examine every child under their jurisdiction to ascertain if such child is suffering from defective sight or hearing, or diseased teeth, or breathes through its mouth. If such test determines that any child has such defect, it shall be the duty of the teacher to notify, in writing, the parent of the child of such defect and explain to such parent the necessity of medical attendance for such child.

State board
of health to
prescribe
rules

SEC. 2. *State Board of Health Prescribes Rules.* The state board of health shall prescribe rules for making such tests, and shall furnish to boards of education and boards of trustees of school districts rules of instruction, test-cards, blanks, and other useful appliances for carrying out the purposes of this act.

Tests made
in first month
of school
year

SEC. 3. *When Tests Shall Be Made.* During the first month of each school year, after the opening of the school, teachers must make tests required by this act upon the children then in attendance at school; and thereafter, as children enter school during the year, such tests must be made immediately upon their entrance.

Boards and
trustees to
enforce act

SEC. 4. *Duty of Boards of Education.* It shall be the duty of the boards of education and boards of trustees of the several school districts of the state to enforce the provisions of this act.

Child
exempt, how

SEC. 5. Any child shall be exempt from the examination herein provided upon written statement from his or her parents or guardian that they object to the same.

CHAP. 194—*An Act to regulate the sale of intoxicating liquors outside of the corporate limits of any incorporated city or town; creating a liquor board in the several counties of this state; prescribing the duties and declaring the powers of such board.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Sale of
liquor
restricted
outside of
city limits

SECTION 1. The board of county commissioners, the district attorney, and the sheriff in each of the several counties in this state are hereby authorized, empowered and commissioned, for the purposes of this act, to act jointly (without further compensation) as a liquor board, to grant or refuse liquor licenses, and to revoke the same whenever there is, in the judgment of a majority of such board, sufficient reason for such revocation. It is hereby declared to be the power and duty of the liquor board in each of the several counties of the state to enact ordinances regulating the sale of intoxicating liquors in their respective counties; fixing the hours of each day during which liquor may be sold or disposed of; prescribing the conditions under which liquor may be sold or disposed of;

Liquor
board, how
constituted

prohibiting the employment or service of females in the sale or disposition of liquor; and prohibiting the sale or disposition of liquor in places where, in the judgment of the board, such sale or disposition may tend to create or constitute a public nuisance, or where by the sale or disposition of liquor a disorderly house or place is maintained; *provided*, all liquor dealers within any incorporated city or town are to be exempt from the force and effect of this act and are to be regulated only by the city government therein. Proviso

SEC. 2. This act shall take effect from and after its passage In effect
and approval.

SEC. 3. All acts and parts of acts in conflict herewith are hereby repealed. Repeal

CHAP. 195—*An Act to provide for the maintenance of fences along railroads and for damages for the killing of live stock.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Railroad corporations must make and maintain a good and sufficient fence on both sides of their track and right of way. In case they do not make and maintain such fence, if their engines or cars shall kill or maim any cattle or other domestic animals upon their line of road, they must pay to the owner of such cattle or other domestic animals a fair market price for the same, unless it occurred through the neglect or fault of the owner of the animal so killed or maimed. Railroads to fence track securely

SEC. 2. Nothing in this act shall require any railroad company to fence its right of way through any town or city. Does not apply in cities

CHAP. 196—*An Act to provide for the holding of a state elimination shoot between members of Nevada civilian rifle clubs affiliated with the national rifle association of America, including life and annual members of said association, to provide funds to meet the expense thereof, and to provide funds for the incidental expenses of the Nevada state rifle team attending the national matches for the years 1917 and 1918.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The adjutant-general of the State of Nevada is hereby authorized, empowered and directed to arrange for an annual state elimination shoot between members of civilian rifle clubs within this state who are affiliated with the national rifle association of America, including life and annual members of said association. He shall select the site for the shoot Providing for elimination rifle contests

and hire the necessary attendants, and shall have general supervision of all matters pertaining to the shoot. He shall be the disbursing officer of all moneys appropriated hereby.

Appropriation, \$3,000

SEC. 2. The sum of three thousand (\$3,000) dollars is hereby appropriated from the general fund of the State of Nevada to be used, or so much thereof as may in his opinion be necessary, by the adjutant-general for the purpose of defraying the expenses of the state elimination shoots for the years 1917 and 1918.

Appropriation, \$2,000

SEC. 3. The sum of two thousand (\$2,000) dollars is hereby appropriated from the general fund of the State of Nevada to be used, or so much thereof as may in his opinion be necessary, by the adjutant-general for the purpose of defraying the incidental expenses of members of the Nevada state rifle team attending the national matches of the national rifle association of America in the years 1917 and 1918.

Adjutant-general to file vouchers

SEC. 4. The said adjutant-general shall file in the office of the state controller vouchers for all expenditures made by him out of said appropriations provided for in sections 2 and 3 of this act; and the state controller, upon the order of the adjutant-general, is hereby authorized and directed to draw warrants upon the state treasurer for such sums as the adjutant-general may deem necessary to expend hereunder; and the state treasurer is hereby directed to pay the same.

CHAP. 197—*An Act relating to elections.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

When Held.

General election law

SECTION 1. A general election shall be held in the several election precincts in this state on the Tuesday next after the first Monday of November, one thousand nine hundred and eighteen, and every two years thereafter, at which there shall be chosen all such officers as are by law to be elected in such year, unless otherwise provided for.

Duties of County Commissioners—Precinct Established, How and When—Number of Voters in Precinct.

Commissioners to establish voting precincts

SEC. 2. It shall be the duty of boards of county commissioners to establish election precincts and define the boundaries thereof, and to alter, consolidate, and abolish the same as public convenience or necessity may require; *provided—*

Restrictions as to new precincts

First—That no new precinct shall be established except upon petition of ten or more qualified electors, permanently residing in the district sought to be established, showing that they reside more than ten miles from any polling-place in said county, unless it shall appear to the satisfaction of said

board that not less than fifty qualified electors reside in said precinct, in which event said precinct may be established without regard to the distance which said electors reside from another polling-place or precinct.

Second—That no election shall be held in any precinct in which there shall not be at least ten qualified electors, permanently residing therein at the time notice of holding election therein shall be given.

No less than ten electors in precinct

Third—All qualified electors residing in any election precinct in which there are less than ten qualified electors permanently residing at the time notice of holding elections are given, shall be entitled to register and vote in the election precinct having a polling-place nearest their residence, by the usual traveled route.

Certain electors may register in nearest precinct

Fourth—That no election precinct shall be established or election held at any place in any precinct within one mile of another voting place in the same county, unless there shall have been polled, at the said voting place, at the next preceding general election, not less than fifty votes.

Certain precincts must be one mile apart

The several boards of county commissioners in the counties of this state in providing for and proclaiming election precincts shall so arrange and divide the voting places in the respective counties so that no greater number than four hundred voters shall vote in one precinct.

Limit of 400 voters in one precinct

It shall be the duty of said boards of county commissioners, at their first regular meetings in September preceding each general election (and fifteen days preceding each special election), to appoint three capable and discreet persons possessing the qualifications of electors (who shall not be of the same political party), to act as inspectors of election at each election precinct, and two clerks of election, who shall have charge of the ballots on election day and shall furnish them to the voters in the manner hereinafter provided for, and the clerk of said board shall forthwith make and deliver to said inspectors personally notice thereof in writing, or deposit the same in the postoffice registered, and postage prepaid, directed to the registry agent of the precinct for which each of said inspectors and clerks are appointed, and it shall be the duty of said registry agent, within ten days after the receipt thereof, to serve the same upon each of said inspectors and clerks of election.

Commissioners to appoint election officers

At the same time and in the same manner the clerk of said board shall furnish to each of said inspectors and clerks of election one copy of the election laws for their special use.

Duties of county clerk

It shall be the further duty of the board of county commissioners to cause their clerks to furnish the sheriff with poll-books and other supplies required to be provided by said board of inspectors and clerks of election, and the clerk shall at the same time deliver to the sheriff the ballot-boxes, and keys, the official ballots, the sample ballots, and printed

Duties of
sheriff

instructions. The sheriff shall thereafter deliver said election supplies by registered or insured mail, express or otherwise, to one of the inspectors of every election precinct in the county, at least one day before the time of holding any election.

Failure of
election
board, how
treated

SEC. 3. If in any precinct any of such inspectors and clerks are unwilling to serve as inspectors and clerks they should notify the board of county commissioners thereof within five days after the receipt of the notice of their appointment, returning the copy of the election laws sent to them, and clerk of the board of county commissioners shall immediately appoint some suitable person to fill the vacancy and to serve at such election. A failure to notify the board of county commissioners of any unwillingness to serve as inspector or clerk as herein provided shall subject the person to a penalty of not less than ten nor more than one hundred dollars, to be sued for and recovered by said board of county commissioners for the use of the county before any justice of the peace of any county.

Penalty

Sickness of
inspector

If through any accident, sickness or inability on the day of election of such inspectors or clerks, or any one thereof, to serve, the inspector or inspectors present on the morning of election may appoint some suitable person to fill the vacancy.

Duties of Inspectors of Election.

Inspectors
act till
successors
appointed

SEC. 4. The said inspectors shall be and continue inspectors of all elections of civil officers to be held in their respective precinct until other inspectors shall be appointed as hereinbefore directed; and the clerks of election may continue to act as such.

Election Officers To Be Sworn.

Oath of
election
officers

SEC. 5. Previous to votes being taken, the inspectors and clerks of election shall, severally, take the prescribed official oath, and, in addition thereto, an oath or affirmation in the following form, to wit:

I, A. B., do solemnly swear (or affirm), as the case may be, that I will perform the duties of inspector (or clerk, as the case may be) of the election to be held this day, according to law and to the best of my ability, and that I will studiously endeavor to prevent fraud, deceit, and abuse in any manner, in conducting the same. So help me God (or if an affirmation under the pains and penalties of perjury).

Who May Administer Oaths.

Who may
administer
oaths

SEC. 6. In case there shall be no judge or justice of the peace present at the opening of the election, one of the inspectors is hereby empowered to administer the oath or affirmation and shall cause an entry thereof to be made and subscribed by him in the poll-books.

Opening and Closing Polls.

SEC. 7. At all elections to be held under this act, the polls shall be open at the hour of 8 o'clock in the forenoon, and continue open until 6 o'clock in the afternoon of the same day, at which time the polls shall be closed; *provided*, whenever at any election all the votes of the precinct as shown by the registry list shall have been cast, the inspectors shall immediately close the polls and shall forthwith begin the counting of the ballots, and continue the same without unnecessary delay until the count is completed. Upon opening the polls one of the clerks, under the direction of the inspectors, shall make proclamation of the same, and thirty minutes before closing of the polls proclamation shall be made in like manner that the polls will be closed in half an hour; *provided further*, if at the hour of closing there are any voters in the polling-place, or in line at the door, who are qualified to vote and have not been able to do so since appearing, the polls shall be kept open a sufficient time to enable them to vote. But no one who shall arrive at the polling-place after 6 o'clock in the afternoon shall be entitled to vote, although the polls may be open when he arrives. No adjournment or intermission shall be taken except as hereinafter provided.

Hours for
opening and
closing polls

Ballot-Boxes Furnished.

SEC. 8. There shall be provided and kept by the county commissioners of each county, at the expense of the county, a suitable ballot-box, with a lock and key, for each precinct, and they shall furnish the same to the inspectors of each election precinct or district within their county.

Ballot boxes

Ballot-Boxes To Be Examined.

SEC. 9. There shall be an opening through the lid of each box of no larger size than shall be sufficient to admit a single folded ballot. Before opening the polls, the ballot-box shall be carefully examined by the inspectors of election, that nothing may remain therein; it shall then be locked and the key thereof delivered to one of the inspectors, to be designated by the majority thereof, and shall not be opened during the election, except in the manner and for the purpose hereinafter mentioned.

Description
of ballot
boxes

Duties of Officers of Election.

SEC. 10. It shall be the duty of the inspectors of election, at each poll at every election, to have before them a certified copy of the register of voters of the precinct or district for which they are the inspectors provided by law; and the inspector to whom any ticket may be delivered shall, upon receipt thereof, pronounce with an audible voice the name of the person offering to vote, and another one of the inspectors shall examine the certified copy of the register, and if the name of the person is found thereon his ticket shall be put in the ballot-box without being inspected. The

Duties of
officers of
election

Name of
elector to be
checked

name of the elector shall then be checked on the certified copy of the register, and the clerks of election shall enter his name and number in the poll-book. No person shall be permitted to vote whose name is not on the register and who shall refuse to comply with the requirements of section 12 of this act. Said register shall be to said inspectors of election conclusive evidence of the right of the person to vote whose name appears upon the same; *provided*, that said inspectors of election may require any person to give true answers under oath or affirmation to all such questions as they may desire to ask touching the identity of the person with the name in or under which he may wish to vote.

County Commissioners to Determine Number of Deputy Sheriffs to Serve at Election.

Special
deputy
sheriffs

SEC. 11. It shall be the duty of the board of county commissioners of the several counties of the state to determine the number of special deputy sheriffs to be appointed by the sheriff of the several counties to serve at each election precinct, for the purpose of preserving order and making arrests, to be paid as other fees.

Who May Challenge—Oath of Elector on Challenge.

Challenge

SEC. 12. A person offering to vote may be orally challenged by any elector of the precinct upon the ground that he is not the person entitled to vote as claimed, or has voted before on the same day, in which the inspector or one of the judges shall tender him the following oath: "You do swear (or affirm) that you are the person whose name is entered upon the registry list of this precinct." In case such person refuse to take oath so tendered he shall not be allowed to vote, and the clerks of the election shall write the word "Challenged" opposite the name of each person challenged upon the register.

Oath on
challenge

Vote Canvassed, How.

Canvass of
votes

SEC. 13. As soon as the polls of election shall be finally closed the inspectors shall immediately proceed to canvass the vote given at such election; and the canvass shall be public and continue without adjournment until completed.

Vote Canvassed, When.

Canvass,
how
conducted

SEC. 14. The canvass shall commence by a comparison of the poll-lists from the commencement, and a correction of any mistake that may be found therein, until they shall be found to agree. The box shall then be opened and the ballots contained therein taken out and counted by the inspectors, and opened so far as to ascertain whether each ballot is single; and if two or more ballots shall be found so folded together as to present the appearance of a single ballot, they shall be laid aside until the count of the ballots is completed; and if on comparison of the count with the poll-lists and the appearance of such ballots a majority of the inspectors shall be of the opinion that the ballots thus folded

together were voted by one elector they shall be rejected, and carefully sealed up in an envelope, upon which shall be written the reason for their rejection, and shall be signed by the inspectors, and placed back in the ballot-box, to be retained with the other ballots.

Ballot-Box, How Purged.

SEC. 15. If the ballots in the box shall be found to exceed in number the whole number of votes on the poll-lists they shall be replaced in the box, after being purged as above, and one of the inspectors, with his back turned to the box, shall publicly draw out and destroy therefrom so many ballots, unopened, as they shall equal the excess.

Purging of
ballot-box

Duties of the Clerks of Elections.

SEC. 16. The ballots and poll-lists agreeing, or being made to agree, the board shall then proceed to count and ascertain the number of votes cast, and for whom cast, and when completed the clerks shall set down in their poll-books the name of every person voted for, written at full length, the office for which such person received such votes, and the number he did receive, the number being expressed in writing at full length, and also in figures; such entry to be made, as nearly as the circumstances will admit, in the following form, to wit:

Duties of
clerks of
election

At an election held at the house of A. B., in the town (or precinct) of....., in the county of....., and the State of Nevada, on the.....day of....., A. D....., the following-named persons received the number of votes annexed to their respective names for the following-described offices, to wit:

Form of
returns

A. B. had.....votes for member of Congress.

C. D. had.....votes for state treasurer.

E. F. had.....votes for state controller.

G. H. had.....votes for state superintendent of public instruction.

I. J. had.....votes for member of state senate.

K. L. had.....votes for member of the assembly.

(And in a like manner for any person voted for.)

Certified by us:

M. N.,

O. P.,

Q. R.,

Inspectors of Election.

Attest:

A. B.,

C. D.,

Clerks of Election.

The vote for and against any question submitted to the electors shall be certified and returned in the same manner.

Questions
voted on

SEC. 17. The inspectors shall file the voted ballots on a string, enclose and seal the same in an envelope endorsed "Election Returns, Voted Ballots." The rejected ballots shall be filed on a string, enclosed and sealed in an envelope

Inspectors to
seal returns
and file same
with certain
officers

Order of
officers
receiving
sealed
returns

endorsed "Election Returns, Rejected Ballots"; one of the "tally-lists, regular ballots," one of the "tally-lists, rejected ballots," and one of the "poll-books" shall be enclosed and sealed in an envelope endorsed "Election Returns." Voted ballots, rejected ballots, "tally-list, regular ballots," "tally-list, rejected ballots," challenge-list, certified copy of register, stubs of used ballots and unused ballots shall be sealed under cover, directed to the clerk of the board of county commissioners of the county in which such election was held, or such other officer as herein provided, endorsed "Election Returns"; *provided*, that if said clerk of the board of county commissioners, as county clerk, or any one of the following-named county officers was voted for office at the last election he shall not be the custodian of such election returns, but such returns shall be directed and delivered to the county officer who was not a candidate and voted for office in the following order: Second—The county recorder. Third—The county treasurer. Fourth—The county assessor. Fifth—The chairman of the board of county commissioners. Sixth—One of the county commissioners. Seventh—To the county clerk if all of the said officers were voted for at the last election. The voted ballots, rejected ballots, spoiled ballots, tally-list, challenged-lists, certified copy of the register, stubs of the ballots used, this enclosed and sealed, shall, after canvass of the votes by the board of county commissioners, be deposited in the office of the vaults of the county clerk, and preserved until the next general election. The other poll-books and tally-lists shall be deposited with one of the inspectors of the election, to be determined by lot, if not otherwise determined, agreed upon, and said poll-book or tally-list deposited with the board of county commissioners shall be subject to the inspection of any elector, at any time thereafter, who may wish to examine the same; *provided*, *however*, that the ballots so deposited with the board of county commissioners shall not be subject to the inspection of any one, except in cases of contested election, and then only by the judge, body, or board before whom such election is being contested.

Further
regulations

Duties of Inspectors of Election.

Returns to
be posted

SEC. 18. In precincts which are by the usually traveled route more than ten miles distant from the county-seat, and wherein less than fifty voters shall be registered for that election, the inspectors shall, before they adjourn, post conspicuously at the polling-place a bulletin signed by each of them stating the number of ballots cast for each candidate and for and against each question which has been voted upon.

Result of
vote cast to
be posted
at polling
place

SEC. 19. Before closing the final adjournment of any board of election in any voting precinct in this state the inspectors shall canvass and count any and all ballots rejected by them on a separate tally-sheet, in the same man-

ner as legal ballots are now canvassed and counted, and transmit said sheet with the other papers and documents as provided in section 17. The "Result of Votes Cast" for any and all candidates, and on all questions submitted, so far as can be determined, shall be posted immediately thereafter in some conspicuous place in the building in which the election is held, a duplicate copy of which shall be sent under separate cover to the county clerk and the county clerk shall file and keep it in his office until the next general election.

Unlawful for Inspector to Put Mark on Ballot—Exception. Spoiled ballots, how treated

SEC. 20. It shall be unlawful for any clerk or inspector of election to place any mark whatsoever upon any ballot other than a "spoiled" ballot; *provided, however*, that when such clerks or inspectors of election shall reject a ballot for any alleged defect or illegality, it shall be the duty of such inspectors of election to certify over their signatures upon the back of each and every ballot rejected that such ballot or ballots were in fact rejected, and briefly stating their reasons therefor.

SEC. 21. They shall also, in precincts mentioned in section 18, before they adjourn, place the papers and documents named in section 17 in one or more sealed packages, the weight of which including the wrapper on box, must be less than the limits of weight allowed to be transmitted by mail. They shall then address the same to the proper officer at the county-seat, stating in writing on the outside of the package the contents thereof, and deliver it to one of their number, to be chosen by lot, who shall immediately without opening it or permitting it to be opened, deliver it to the nearest postmaster and pay the postage thereon, and have the package registered; *provided*, it may be sent by express if it can be delivered quicker than by mail.

Expenses, How Paid.

SEC. 22. The inspector who delivers the package shall be paid the amount expended by him in paying the postage on the package, and fifteen cents per mile for going to and fifteen cents for returning from the postoffice in the same manner and out of the same fund as other election expenses are paid; *provided*, that no such mileage shall be paid unless the total distance necessarily traveled in going and returning be greater than two miles.

Custody of Ballots.

SEC. 23. In cases where section 18 of this act shall apply the ballots shall, after they reach the county-seat, be kept in sealed packages by the proper officer, instead of in the ballot-boxes.

Custody of Ballot-Box.

SEC. 24. In precincts mentioned in section 18, the ballot-

Custody of
ballot-box

box may remain in the custody of the inspectors until the next election, when it shall be turned over to the inspectors of said election, and in such cases the tally-lists, poll-books and other books and papers may be sent in sealed packages by registered mail to any of the inspectors.

County Commissioners to Canvass—Tie—Recount—New Election, When.

Commis-
sioners to
canvass
result

SEC. 25. On the tenth day (or if that day shall fall on Sunday, then on the Monday following), after the close of any election, or sooner, if all the returns be received, the board of county commissioners shall proceed to open said returns and make abstracts of the votes. Such abstracts of votes for United States senator and for member or members of Congress shall be on one sheet; the abstract for votes for presidential electors shall be on one sheet; the abstract of votes for members of the legislature shall be on one sheet; the abstract of the votes for district and state officers shall be on one sheet, and the abstract of votes for county and township officers shall be on one sheet; and the abstract of votes upon any question shall be on one sheet. And it shall be the duty of the board of county commissioners to cause a certificate of election to be made out by the respective clerks of said board of county commissioners to each of the persons having the highest number of votes for members of the legislature, district, county, and township offices, respectively, and to deliver such certificate to the person entitled to it on his making application to said clerk at his office; *provided*, that when a tie shall exist between two or more persons for the senate or assembly, or any other county, district or township officer, any of said persons shall have the right to demand of the board of county commissioners a recount of all the ballots cast for them for the office for which they were candidates; *and provided further*, that if after said recount has been had the vote between them or any of them shall still remain a tie, the board of county commissioners shall order their clerk to give notice to the sheriff of the county, who shall immediately advertise another election giving at least ten days notice. And it shall be the duty of the said clerk of said board of county commissioners of said county, on the receipt of the return of any general or special election, to make out his certificate of election, stating therein the compensation to which the inspectors and clerks of election may be entitled by law for their services, and lay the same before the board of county commissioners at their next session; and the said board shall order the compensation aforesaid, if correct, to be paid out of the county treasury.

Tie vote,
how treated

Recount

New election,
when

Penalty for Malfeasance—Canvass for State Officers.

SEC. 26. The board of county commissioners, after mak-

ing the abstract of votes as provided in section 25, shall cause their clerk, by an order made and entered in the minutes of their proceedings, to make a copy of said abstract, and forthwith transmit the same to the secretary of state at the seat of government. If the board of county commissioners shall neglect or refuse to make the order as required by this act, they and each of them shall be guilty of a misdemeanor in office, and shall, on conviction thereof, be liable to a fine of not less than one hundred dollars nor more than five hundred dollars each, and imprisonment in the county jail for not less than ten and not more than one hundred days each, or both such fine and imprisonment, and shall be removed from office. And on the third Monday of December succeeding such election the chief justice of the supreme court and the associate justices, or a majority thereof, shall meet at the office of the secretary of state, and shall open and canvass the vote for United States senator and members of Congress, district and state officers; and for and against any questions submitted. The governor shall grant a certificate of election to and commission the persons having the highest number of votes and shall also issue proclamations declaring the election of such persons. But in case there shall be no choice, by reason of any two or more persons having an equal and the highest number of votes for the same office, the senate and assembly shall convene in the assembly chamber, on the second Monday of February, at the next regular session of the legislature after such election, and by joint vote of both houses elect one of said persons to fill said offices; *provided*, when an election for electors of president and vice-president of the United States takes place, the vote thereof shall be canvassed at the same time and in the manner aforesaid.

Returns for state officers sent to secretary of state

Supreme court to canvass

Governor to issue certificate

Informality, How Treated.

SEC. 27. No certificate shall be withheld on account of any defect or informality in the returns of any election, if it can with reasonable certainty be ascertained from such returns what office is intended and who is entitled to such certificates, nor shall any commission be withheld by the governor or board of county commissioners on account of any such defect or informality of any returns made to the office of the secretary of state or to the board of county commissioners.

Informalities not to vitiate

Messengers May Be Employed, When and by Whom.

SEC. 28. If the returns of the election of any county in the state shall not be received at the office of the secretary of state on or before said third Monday in December succeeding such election, the said secretary may forthwith send a messenger to the clerk of the board of county commissioners of such county, whose duty it shall be to furnish said messenger with a copy of such returns, and the said messenger

Messengers employed, when

shall be paid out of the treasury of such county the sum of twenty cents for each mile he shall necessarily travel in going to and returning from said county. Whenever it shall be necessary in the opinion of the board of county commissioners to employ a messenger to convey the returns to the seat of government and deliver them to the secretary of state, the person performing such service shall also be entitled to receive, as compensation, mileage at the rate of twenty cents per mile, computing the distance from the county-seat to the seat of government by the usual traveled route.

Duties of County Commissioners.

Canvass for
district
officers

SEC. 29. When two or more counties are united in one senatorial, representative, or judicial district for the election of any officers, the board of county commissioners of each county shall canvass the votes, according to law, of the voters of their respective counties for said officer or officers; and the commissioners of the county whose initial is the lowest on the alphabet shall transmit to the commissioners of the county of the highest initial a copy of the abstract of the votes for such officer or officers, when the said last commissioners shall make a final abstract and aggregate of said votes, and shall proceed to cause to be issued certificates of election, and otherwise to act as is provided in this and the two preceding sections.

Duties of County Clerks in Transmitting Returns.

Duties of
county clerks
regarding
returns

SEC. 30. Whenever the returns are required to be transmitted by the clerk of the board of county commissioners to the secretary of state, it shall be the duty of such clerk, if not otherwise directed by the board of county commissioners, to deliver the same to some postmaster of the county, at the postoffice, to be transmitted by mail, taking from such postmaster, if it can be obtained, a certificate setting forth the time when such reports were deposited in the postoffice, which certificate the clerk shall file in his office. If the clerk of the board of county commissioners should neglect or refuse to make out and transmit the returns or abstract, as required by this act, he shall be deemed guilty of a misdemeanor in office, and, upon conviction thereof, shall be fined in any sum not less than one hundred dollars or more than five hundred dollars, and imprisonment in the county jail for not less than one month or more than six months, or both such fine and imprisonment, in the discretion of the court, and shall be removed from office.

Per Diem of Inspector and Clerk of Election—Mileage of Messenger.

Per diem of
election
officers

SEC. 31. There shall be allowed out of the county treasury of such county to each inspector and each clerk of election five dollars per diem, but in no case to exceed twenty dollars for all services required by law to be performed by each of them at any one election. And to the person carrying the poll-

books from the place of election to the clerk's office the sum of fifteen cents per mile for going and fifteen cents per mile for returning, to be paid out of the county treasury. Mileage

AUSTRALIAN BALLOT LAW

Ballots, How Provided.

SEC. 32. All ballots cast in elections for public officers within this state shall be printed and distributed at public expense as hereinafter provided. The printing of general tickets and cards of instruction for the electors of each county, and the delivery of the same to the election officers, as provided for in this act, shall be a county charge, the payment of which shall be provided for in the same manner as the payment of other county expenses and in case of separate elections for city, town, or district officers the printing and delivering of tickets and cards of instruction shall be a charge upon the city, town, or district in which said tickets and cards are to be used, the payment of which shall be provided for in the same manner as the payment of other city, county, or district expenses. Australian ballot law

All printing, etc., to be public charge

Duties of Secretary of State.

SEC. 33. Not less than thirty-five days before an election to fill any public office, the secretary of state shall certify to the county clerk of each county within this state the name of each person and the name of the office for which he is nominated, as specified in the certificate of nomination filed with him. Duties of secretary of state

Secretary of State to Certify Constitutional Amendment to County Clerk—Punishment for Neglect.

SEC. 34. When any proposed constitution, constitutional amendment, or other question is to be submitted to the popular vote, the secretary of state shall, within ninety days before the election at which such constitution, constitutional amendment or question to be voted upon, certify the same to each county clerk of this state, assigning to each question or constitutional amendment a number by which it shall be designated, sending to each of said clerks enough copies of such constitution, constitutional amendments, or other questions to supply each inspector of election, and enough additional copies to carry out the provisions of this act. And it is hereby made the duty of the county clerks of each county to have posted, ten days before election, in each precinct, three copies of said constitution, constitutional amendment or other question to be voted on, one of which copies shall be posted at the place of holding the polls. If there is a newspaper published in the county, the county clerk shall cause to be published said constitution, constitutional amendment, or other question to be voted therein three times; one publication thereof shall be at least thirty days before election; another not less than twenty days; and another not more than ten days before said election. Any secretary of Constitutional amendments, action upon

state or county clerk of this state who shall fail to comply with the provisions of this act shall be deemed guilty of a misdemeanor and on conviction shall be fined in a sum not less than \$100, nor more than \$500.

Duties of County Clerk and Secretary in Relation to Ballots.

Duties of
county clerks
and secre-
tary of state
in relation
to ballots

SEC. 35. It shall be the duty of the county clerk to provide printed ballots for every election for public offices, in which any voters within the county participate, and to cause to be printed in the ballot prescribed herein the name of each and every candidate whose name has been certified to, or filed with him, as provided in this act. Ballots, other than those printed, as provided in this act, shall not be cast, or counted, in any election. All ballots shall be printed on tinted paper, furnished by the secretary of state. It shall be the duty of the secretary of state to obtain and keep on hand a sufficient supply of such paper for ballots, and to furnish the same in quantities ordered to any county clerk. Said paper shall be watermarked with a design furnished by the secretary of state, in such manner that the said watermark shall be plainly discernible on the outside of such ballot when properly folded. Such design shall be changed for each general election, and the same design shall not be used again at any general election within the space of eight years, but at any special or separate local election paper marked with the design used at any previous election may be used.

Ballots, How Printed, Numbered and Ruled—Specifications as to Type, Etc.

Description
of ballots,
how printed,
etc.

SEC. 36. On each ballot a perforated line shall extend from top to bottom, one-half inch from the right-hand side of such ballot, and upon the half-inch strip thus formed there shall be no writing or printing, except the number of the ballot, which shall be upon the back of the strip in such position that it shall appear on the outside when the ballot is folded. The number on each ballot shall be the same as that on the corresponding stub, and the ballots and stubs shall be numbered consecutively in each county. Where the names of candidates are printed in separate columns the columns shall be separated by heavy rules, and on all ballots the names of candidates shall be separated by a rule extending to the extreme right of the column. All ballots shall contain the name of each and every candidate whose nomination for any office specified in the ballot has been certified to and filed according to the provisions of this act, and no other name. The names of the candidates for each office shall be arranged under the designation of the office in alphabetical order, according to the surname, except that the names of candidates for presidential electors shall be arranged in groups as presented in the several certificates of nomination, the political designation of each candidate except in the case of candidates for judicial offices, shall be

printed opposite his name. There shall be a margin at the right-hand side of the names at least one-half inch wide, so that the voters may clearly indicate in the way hereinafter described the candidate or candidates for whom he wishes to vote. Whenever any question is to be submitted to the vote of the people, it shall be printed upon the ballot, in such manner as to enable the electors to vote upon the question in the manner hereinafter provided, with a brief statement of the purport of such question. Before every question or constitutional amendment to be voted upon, there shall be placed a number, to be designated by the secretary of state, in boldfaced type, not smaller than 24-point. There shall be printed on the ballots opposite the designation of each office such words as will aid the voter to indicate his choice of candidate, such as "Vote for one," "Vote for three," and the like.

Description
of ballot

Number of Ballots, and How Bound.

SEC. 37. All ballots when printed shall be bound in stub-books of five, ten, twenty-five, fifty, and one hundred ballots each. A record of the number of ballots printed for them shall be kept by the respective county clerks.

Number of
ballots in
books

SEC. 38. The county clerk shall provide for each election precinct in the county at least one hundred and ten ballots for each one hundred voters registered therein, and not more than five ballots in excess thereof.

Number of
ballots to
each 100
voters

Duties of County Commissioners.

SEC. 38½. Whenever it shall appear, by affidavit, that an error or omission has occurred in the publication of the name or description of any of the candidates nominated, or in the printing of the ballots, any member of the board of county commissioners, upon application by any voter, shall issue an order requiring the county clerk to correct such error.

Error in
ballots, how
cured

Duties of Officers on Loss or Destruction of Ballots.

SEC. 39. Before the opening of the polls at any election the county clerk shall cause to be delivered to the board of election of each election precinct in his county the proper number of tickets of the kind to be used in election precinct. In case of prevention of an election in any precinct by reason of the loss or destruction of the ballots intended for that precinct, or any other cause, the inspector or other election officer for the precinct shall make an affidavit setting forth the fact and transmit it to the governor of the state. Upon receipt of such affidavit, and upon the application of any candidate for any office to be voted for by the voters of such precinct, the governor shall order a new election in such precinct.

Loss of
ballots; new
election,
when

Booths and Ballot-Box Provided.

SEC. 40. The board of county commissioners shall provide, at each polling-place within the county, a sufficient

Commissioners to provide booths, ballot-boxes, etc.

number of places, booths, or compartments, in which voters may conveniently mark their ballots, that in the marking thereof they may be screened from the observation of others, and a guard-rail shall be so placed that only such persons as are inside said rail can approach within six feet of the ballot-box and of such booths or compartments. The arrangement shall be such that neither the ballot-box nor the booths or compartment shall be hidden from the view of those just outside the guard-rail. The number of such booths or compartments shall not be less than one for each fifty or fraction of fifty voters registered in the precinct. Each of said booths or compartments shall be kept provided with proper supplies and conveniences for marking ballots. No person other than voters engaged in receiving, preparing, or depositing their ballots, shall be permitted inside said guard-rail during the time the polls are open, except by authority of the board of election, and in that case only for the purpose of keeping order and enforcing the law.

How to Vote.

How to vote

SEC. 41. Any person desiring to vote shall give his name and address to one of the clerks of election, who shall announce the same, and if the other clerks shall find the name upon the registry book he shall repeat the name and address. One ballot shall then be given to the voter, and the number of the said ballot shall be written by one of the clerks of election upon the registry list opposite the name of the voter receiving it.

Ballot, How Prepared—Marking Done with Stamp.

How to prepare ballot; must be stamped with rubber stamp in black ink

SEC. 42. On receiving his ballot the voter shall immediately retire alone to one of the places, booths, or compartments. He shall prepare his ballot by stamping a cross or X in the square, and in no other place, after the name of the person for whom he intends to vote for each office. In case of a constitutional amendment or other question submitted to the voters, the cross or X shall be placed in the square after the answer which he desires to give. Such stamping shall be done with a stamp in black ink, which stamp, ink, and ink-pad shall be furnished in sufficient number by the county clerk for each election precinct in the county. Before leaving the booth or compartment the voter shall fold his ballot in such manner that the water-mark and the number of the ballot shall appear on the outside, without exposing the stamps upon the ballot, and shall keep it so folded until he has voted. Having folded his ballot, the voter shall deliver it to the inspector, who shall announce the name of the voter and the number of his ballot. The clerk having the registry list in charge, if he finds the number to agree with the number of the ballot delivered to the voter, shall repeat the name and number, and shall mark opposite the name the word "Voted." The inspector shall then separate the strip bearing the number from the ballot, and shall

deposit the ballot in the ballot-box. Said strip and number shall immediately be destroyed.

Ten Minutes to Prepare Ballot.

SEC. 43. But one person shall occupy any one booth or compartment at one time, and no person shall remain in a booth or compartment longer than may be necessary to prepare his ballot, and in no case longer than ten minutes.

Ten minutes to prepare ballot

Spoiled Ballot, How Treated.

SEC. 44. Any voter who shall accidentally spoil a ballot may return such spoiled ballot to the clerk of election, and receive another one in its place. All the ballots thus returned shall be immediately canceled by writing the word "Canceled" across the face of the ballot, and with those not distributed to the voters, shall be returned with the election returns. A voter who does not vote the ballot delivered to him shall, before leaving the space inside the guard-rail, return such ballot to the clerks, who shall immediately cancel the same and return it in the same manner as a spoiled ballot. The clerks of election shall account for the ballots delivered to them by returning a sufficient number of unused and spoiled ballots to make up, when added to the number of official ballots cast, the number of ballots delivered to them.

Spoiled ballot, how treated

Who May Be Assisted.

SEC. 45. A voter who declares under oath that by reason of physical disability he is unable to mark his ballot shall, at his request, be permitted to receive the assistance, in the marking, of any elector, other than an election officer, but no person shall be permitted to go inside the guard-rail as an assistant to more than one voter.

Assistance in voting, when

Kind of Ballots To Be Deposited.

SEC. 46. No ballots shall be deposited in the ballot-box unless the water-mark, as hereinbefore provided, appears thereon, and the slip containing the number of the ballot has been removed therefrom by the inspector.

Only official ballots voted

Sample Ballots—Instructions to Voters To Be Posted.

SEC. 47. The county clerk shall cause to be printed on plain white paper, without water-mark or endorsement, except the words "Sample Ballot," at least one-half as many copies of the form of ballot provided for use in each precinct as there shall be registered voters in any election precinct, and shall furnish same to the board of election of each precinct. Said county clerk shall also cause to be printed in plain type on cards, instructions for the guidance of voters for obtaining and marking their ballots. He shall furnish twelve such cards to the boards of election of each election precinct in the county at the time and in the manner that ballots and sample ballots are furnished. The board of election shall post at least one of such cards in each booth provided for the preparation of ballots, and not less than

Sample ballots, number of

Cards of instruction posted

three of such cards at other public places in and about the polling-places on the day of election.

Kind of Ballots To Be Counted—Kind Rejected.

Ballots to be
counted;
kind rejected

SEC. 48. In counting the ballots any ballot not bearing the water-mark, as provided in this act, shall not be counted, but such ballot must be preserved and returned with the other ballots. When a voter marks more names than there are persons elected to an office, or if for any reason it is impossible to determine the voter's choice for any office, his vote for such office shall not be counted. Any ballot upon which appears names, words, or marks, written or printed, except as in this act provided, shall not be counted. But nothing in this act shall be construed as grounds for the rejection of a ballot where the intention of the voter is clear and where marks on the ballot cannot be definitely shown to be intentional distinguishing marks, characters or words.

County Clerk to Have Ballots Printed at Newspaper or Printing Office Within the County or State.

Ballots must
be printed
within
county or
state

SEC. 49. The county clerks of the several counties of this state shall supervise the printing of the ballots, and such ballots shall be printed at some newspaper or printing office in the county where the ballots are to be voted, and in case there is no newspaper or printing office in the county in which the work can be done, then said clerk is hereby authorized, empowered, and directed to have said printing done in any newspaper or printing office in the state; *provided*, that the cost of printing said ballots shall not exceed the sum of forty dollars per thousand.

Duties of Secretary of State and County Clerks.

Duties of
secretary of
state and
county clerks

SEC. 50. It shall be the duty of the secretary of state to cause to be printed in pamphlet form a requisite number of copies of this act, with marginal notes and properly indexed, a suitable number of which shall be forwarded by him to the county clerks of the several counties of the state on or before the first day of July previous to holding of any general election and at least twenty days previous to the holding of any special election. And it is hereby made the duty of said county clerks to enclose in each and every ballot-box sent out by them to be used at the various precincts of their respective counties one or more copies of said act as in their judgment they may deem proper.

Fraudulent Voting a Felony.

Fraudulent
voting a
felony

SEC. 51. Any person who shall vote, or offer to vote, at any election mentioned in this act, but who shall not be a qualified elector to vote, in the name of any other registered elector, may be deemed guilty of a felony, and on conviction thereof before any court of competent jurisdiction shall be punished by imprisonment in the state prison for not less than one or more than three years; and any person who shall wilfully cause, or endeavor to cause his name to be regis-

tered in any other election district than that in which he resides, or will reside prior to the day of the next ensuing election; and any person who shall cause or endeavor to cause his name to be registered, knowing that he is not a qualified elector, or will not be a qualified elector on or before the day of the next ensuing election in the election district in which he causes or endeavors to cause such registry to be made; and any other person who shall induce, aid, or abet any such person in the commission of either of such acts in this section enumerated and described shall be deemed guilty of a misdemeanor, and, upon conviction thereof before any court of competent jurisdiction, shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars, or by confinement in the county jail for not less than one month nor more than six months, or by both such fine and imprisonment, in the discretion of the court.

Fraudulent
voting a
felony

Perjury and Penalty For.

SEC. 52. All wilful, corrupt and false swearing or affirming before any registry agent shall be deemed perjury, and on conviction shall be punished as such. If any register agent or any other person in any manner concerned shall wilfully and corruptly violate any of the provisions of this act, the penalty for which is not herein specifically prescribed, he shall be punished for each and every offense whereof he shall be duly convicted by imprisonment in the state prison for a term not less than one nor more than five years, or by fine of not less than one hundred nor more than one thousand dollars, or both such fine and imprisonment, in the discretion of the court.

Perjury
defined:
penalty for

Betting on Elections.

SEC. 53. Every person who makes, offers or accepts any bet or wager upon the result of any election, or upon the success or failure of any person or candidate, or upon the number of votes to be cast, either in the aggregate or for any particular candidate, or upon the vote to be cast by any person, is guilty of a misdemeanor.

Betting on
election
prohibited

Neglect or Refusal of Duty.

SEC. 54. Every person charged with the performance of any duty under the provisions of any law of this state relating to elections, who wilfully neglects or refuses to perform it, or who, in his official capacity, knowingly and fraudulently acts in contravention or violation of any of the provisions of such laws, shall be deemed guilty of a felony, and punishable by a fine of not exceeding one thousand dollars, or by imprisonment in the state prison not exceeding five years, or by both such fine and imprisonment.

Neglect or
refusal of
duty

Misdemeanor—Penalty.

SEC. 55. Every person who after being required by the board of judges at any election, refuses to be sworn, or who

Misdemeanor;
penalty

after being sworn, refuses to answer any pertinent question propounded by such board, touching his right, or right of any other person to vote, is guilty of a misdemeanor, punishable by a fine not exceeding five hundred dollars, or imprisonment in the county jail not exceeding three months, or by both such fine and imprisonment.

Fraud on Ballot-Box—Felony—How Punished.

Fraud on
ballot-box,
felony; how
treated

SEC. 56. Every person not entitled to vote who fraudulently votes, and every person who votes more than once at any election, or knowingly hands in two or more tickets folded together, or changes any ballot after the same has been deposited in the ballot-box, or adds, or attempts to add, any ballot to those legally polled at any election, either by fraudulently introducing the same into the ballot-box before or after the ballots therein have been counted, or adds to or mixes with or attempts to add or mix with the ballots lawfully provided, other ballots while the same are being counted or canvassed, or abstracts any ballots lawfully polled at any time with intent to change the result of such election, or carries away or destroys, or attempts to carry away or destroy, any poll-list or ballots, or ballot-box, for the purpose of breaking up or invalidating such election, or wilfully detains, mutilates, or destroys any election returns, or in any manner so interferes with the officers holding such election or conducting such canvass, or with voters lawfully exercising their right of voting at such election, as to prevent such election or canvass from being fairly held and lawfully conducted, shall be guilty of a felony, punishable by a fine not exceeding one thousand dollars, or by imprisonment in the state prison not exceeding five years, or by both such fine and imprisonment.

Fraudulent Voting—Penalty.

Fraudulent
voting;
penalty

SEC. 57. Every person not entitled to vote who fraudulently attempts to vote, or who, being entitled to vote, attempts to vote more than once at any election, or who procures, aids, assists, counsels or advises another to give or offer his vote at any election, knowing that the person is not qualified to vote, shall be guilty of a misdemeanor, punishable by a fine not exceeding two hundred dollars, or by imprisonment in the county jail not exceeding sixty days, or by both such fine and imprisonment.

Misdemeanor to Violate Secrecy of Ballot—Forging Returns a Felony.

Violating
secrecy of
ballot;
misdemeanor

SEC. 58. Every inspector, judge, or clerk of an election who, previous to putting the ballot of an elector in the ballot-box, attempts to find out any name on such ballot, or who opens or suffers the folded ballot of any elector which has been handed in to be opened or examined previous to putting the same into the ballot-box, or who makes or places any mark or device on any folded ballot, with a view to ascertain the

name of any person for whom the elector has voted, or who, without the consent of the elector, discloses the name of any person which such inspector, judge, or clerk has fraudulently or illegally discovered to have voted for by such elector, is punishable by a fine of not less than fifty nor more than five hundred dollars. Every person who forges or counterfeits the returns of an election purporting to have been held at a precinct, town or ward, when no election was in fact held, or wilfully substitutes forged or counterfeit returns of election in place of the true returns of a precinct, town, or ward where an election was actually held, is punishable by imprisonment in the state prison for a term of not less than two or more than ten years.

Forging
returns a
felony

Bribery, Intimidation or Menace—Penalty.

SEC. 59. Every person who by force, threats, menaces, bribery, or any corrupt means, either directly or indirectly, attempts to influence any elector in giving his vote, or to deter him from giving the same, or attempts by any means to awe, restrain, hinder, or disturb any elector in the free exercise of the right of suffrage, or furnishes an elector wishing to vote, who cannot read, with a ticket, informing or giving such elector to understand that it contains a name written or printed thereon different from the name which is written or printed thereon, or defrauds any elector at such election by deceiving and causing such elector to vote for a different person or any office than he intended or desired to vote for, or who, being inspector, judge, or clerk of any election, while acting as such, induces or attempts to induce, any elector either by menace or reward, or promise thereof, to vote different from what such elector intended or desired to vote, shall be guilty of a felony, punishable by a fine not exceeding one thousand dollars, or imprisonment in the state prison not exceeding five years, or by both such fine and imprisonment.

Bribery,
intimidation
or menace:
penalty

Promoters of Candidates Punished—Penalty.

SEC. 60. Every person who, with the intent to promote the election of himself or any other person, either, First—Furnishes entertainment at his expense to any meeting of electors previous to or during an election; Second—Pays for, procures, or engages to pay for any such entertainment; Third—Furnishes or engages to pay or deliver any money or property for the purpose of procuring the attendance of voters at the polls, or for the purpose of compensating any person for procuring attendance of voters at the polls, except for the conveyance of voters who are sick or infirm; Fourth—Furnishes or engages to pay or deliver any money or property for any purpose intended to promote the election of any candidate, except for the expenses of holding and conducting public meetings, for the discussion of public questions, and of printing and circulating ballots, handbills, and other

Promoters of
candidate
punished;
penalty

papers previous to such election—shall be guilty of a misdemeanor, punishable by a fine not exceeding five hundred dollars, or imprisonment not exceeding six months in the county jail.

Bribery or Attempt to Bribe, a Felony.

Bribery or
attempts to
bribe, a
felony

SEC. 61. Every person who gives or offers a bribe to any officer or member of any legislature, caucus, political convention, committee, primary election, or political gathering of any kind, held for the purpose of nominating candidates for offices of honor, trust, or profit in this state, with intent to influence the person to whom such bribe is given or offered to be more favorable to one candidate than another, shall be guilty of a felony, punishable by a fine not exceeding five thousand dollars or ten years' imprisonment in the state prison, or both such fine and imprisonment.

Contingent Promises of Appointment.

Contingent
promises of
appointment
a felony

SEC. 62. Every person who, being a candidate at any election, offers or agrees to appoint or procure the appointment of any particular person to office, position, or employment as an inducement or consideration to any person to vote for, or procure or aid in procuring the election of such candidate, or person not being a candidate, who communicates any offer made in violation of this and the preceding section to any person with intent to induce him to vote for, or to procure or aid in procuring the election of the candidate, shall be deemed guilty of a felony, punishable by imprisonment not exceeding five years or a fine not exceeding five thousand dollars, or by both such fine and imprisonment.

Sale of Liquor Prohibited.

Sale of liquor
prohibited

SEC. 63. No person shall sell, give away, or furnish, or cause to be sold, given away, or furnished, either for or without pay, within this state, on any day upon which a general election is held, or within the limits of any county, or city, or on any day upon which any special or municipal election is held therein, any spirituous, malt, or fermented liquors or wines; and any one so doing shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not less than one hundred nor more than one thousand dollars, or by imprisonment in the county jail not less than one nor more than six months, or by both such fine and imprisonment, in the discretion of the court; and it shall be the duty of the judges of the district courts of the several judicial districts in this state to specially give this act in charge to every grand jury impaneled in their respective districts.

Duties of Governor—Reward Offered.

Duties of
governor;
to offer
reward

SEC. 64. The governor is hereby authorized and directed, at least thirty days previous to any general election, and fifteen days previous to any special election, to issue a proclamation offering a reward of one hundred dollars for the

arrest and conviction of any person violating any of the provisions of this act when the crime is a misdemeanor, and a reward of two hundred dollars for the arrest and conviction of any person guilty of a felony, as herein provided; such rewards to be paid until the total amount hereafter expended for the purpose reaches the sum of ten thousand dollars, payable out of any moneys in the state treasury not otherwise appropriated. All moneys collected under the provisions of this act shall revert to the general school fund of the several counties where such cases were brought.

Misdemeanor to Interfere with Election Supplies.

SEC. 65. Any person who shall, during an election, remove or destroy any of the supplies or other conveniences placed in the booths or compartments, or shall, during an election, remove, tear down, or deface the cards of instruction posted, as prescribed by this act, shall be guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not less than fifty dollars and not exceeding five hundred dollars, or by imprisonment in the county jail for a term not less than one month and not exceeding six months.

Misdemeanor to interfere with election supplies

Neglect of Public Officer, How Punished.

SEC. 66. Any public officer upon whom any duty is imposed by this act, who shall wilfully neglect or refuse to perform any such duty, shall be deemed guilty of a felony, and upon conviction thereof shall be imprisoned in the state prison for a term not less than one year and not exceeding five years.

Neglect of public officer, how punished

Many Interdictions Under Penalty.

SEC. 67. No person except a member of the board of election shall receive from any voter a ballot prepared by such voter. No person shall examine such ballot or solicit a voter to show the same. No person shall remove any ballot from any polling-place before the closing of the polls. No person shall apply for or receive a ballot at any election precinct other than the one at which he is entitled to vote. No person shall show his ballot to any person, after marking it, so as to reveal any of the names voted for. No person shall ask another within one hundred feet of the polling-place for whom he intends to vote. No voter shall receive a ballot from any other person than one of the clerks of election, nor shall any other person than a clerk of election deliver such ballot to such voter. No voter shall deliver to the board of election or to any member thereof any ballot other than the one received from the clerk of election. No voter shall place any mark upon his ballot by which it may afterwards be identified as the one voted by him. Any person violating any provisions of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum of not less than fifty dollars and not exceeding five hundred

Many interdictions under penalty

dollars, or by imprisonment in the county jail for a term not less than one month and not exceeding six months.

Who May Contest an Election.

Who may
contest
election

SEC. 68. Any elector of the proper county may contest the right of any person declared duly elected to an office exercised in and for such county; and also, any elector of a township may contest the right of any person declared duly elected to any office in and for such township, for any of the following causes: First—For malconduct on the part of the board of inspectors, or any member thereof. Second—When the person whose right to the office is contested was not at the time of election eligible to such office.

Irregularities of Returns.

Irregu-
larities of
returns

SEC. 69. When any election held for an office exercised in and for a county is contested on account of any malconduct on the part of the board of inspectors of any precinct, or any member thereof, the election shall not be annulled and set aside upon any proof thereof, unless the rejection of the vote of such precinct shall change the result as to such office in the remaining vote in the county.

Contest Instituted, How.

Contest
instituted,
how

SEC. 70. When any elector shall choose to contest the right of any person declared duly elected to such office he shall, within forty days thereafter, file with the clerk of the district court a written statement, setting forth specifically: First—The name of the party contesting such election, and that he is a qualified elector of the district, county, or precinct (as the case may be) in which such election is held. Second—The name of the person whose right to the office is contested. Third—The office. Fourth—The particular cause or causes of such contest. Said statement shall be verified by the affidavit of the contesting party, that the matters and things therein contained are true to the best of his knowledge and belief.

Proceedings in Contests—District Court to Decide.

Proceedings
in contest;
district court
to decide

SEC. 71. When the reception of illegal votes is alleged as a cause of contest, it shall be sufficient to state generally that illegal votes were given to the person whose election is contested in the specific precinct or precincts, which, if taken from him, will reduce the number of his legal votes below the number of legal votes given to some other person for the same office; but no testimony shall be received of illegal votes unless the party contesting such election shall deliver to the opposite party, at least three days before such trial, a written list of the number of illegal votes, and by whom given, which he intends to prove on such trial; and no testimony shall be received of any illegal votes except such as are specified in such list; *provided*, that in all cases of contested elections the district court of the respective districts shall have original jurisdiction to try and determine

all such cases, and may, by *mandamus* or otherwise, obtain all documentary evidence required by either of the parties litigant.

Strict Form Not Essential.

SEC. 72. No statement of the cause of contest shall be rejected, nor the proceedings thereon dismissed, by any court before which such contest may be brought for trial, for want of form, if the particular cause or causes of contest shall be alleged with such certainty as will sufficiently advise the defendant of the particular proceedings or causes for which such election is contested. Strict form not essential

Duties of Clerk of District Court.

SEC. 73. Upon such statement being filed, it shall be the duty of the clerk of the district court to inform the judge thereof, who shall fix the time and place to hear and determine such contested election; and the clerk shall give notice thereof, not less than ten nor more than twenty days from the date of such notice to the parties contesting, which said notice shall be served by the sheriff of the county upon the respective parties as in other cases. Duties of clerk of district court

Process.

SEC. 74. The said clerk shall issue subpoenas and subpoenas *duces tecum*, as in civil actions at law, for witnesses in such contested election at the request of either party, which shall be served by the sheriff as other subpoenas; and the district court shall have full power to issue attachments to compel the attendance of witnesses who shall fail to attend, who shall have been duly subpoenaed. Process

Duties of Clerk of District Court.

SEC. 75. Upon the certified copy of a judgment of the district court, or a certified copy of the judgment of the supreme court, as the case may be, the clerk of the board of county commissioners shall issue a certificate to the person declared to be entitled to such certificate of election. County clerk to issue certificates

Fees of County Officers.

SEC. 76. The clerk, sheriff, and witnesses shall receive, respectively, the same fees from the party against whom the judgment is given as are allowed for similar services in the district court. Fees of county officers

Effect of Judgment of Court.

SEC. 77. Whenever an election shall be annulled and set aside by the judgment of the district court, and no appeal has been taken therefrom within thirty days, such certificate, if any has been issued, shall thereby be rendered void and the office become vacant. Effect of judgment of court

Contests To Be Tried, Where.

SEC. 78. In case of any contest in regard to any election to fill the office of district judge, such contest shall be tried Contests tried, where

in like manner before the district court of the district nearest adjoining thereto.

Who May Bring Action.

Who may
bring action

SEC. 79. Any such action may be brought by the attorney-general, in the name of the State of Nevada, upon his own information or upon the complaint of any private party against any person who unlawfully holds any public office within the state; and it shall be the duty of the attorney-general to bring such action whenever he has reason to believe that any such office is unlawfully held or exercised by any person or when he is directed to do so by the governor.

Duties of Attorney-General—Order of Court.

Duties of
attorney-
general

Order of
court

SEC. 80. Whenever such action is brought the attorney-general, in addition to the statement and cause of action, may also set forth in the complaint the name of the person rightly entitled to the office or franchise, with a statement of his right thereto; and in such case, upon proof by affidavit or otherwise, that the defendant has received fees or emoluments belonging to the office or franchise, by means of his usurpation thereof, an order may be granted by a judge of the supreme court, or a district judge, for the arrest of such defendant and holding him to bail; and thereupon he may be arrested and held to bail in the same manner and with the same effect, and subject to the same rights and liabilities as in other civil actions where the defendant is subject to arrest.

Damages May Be Recovered.

Damages
recovered,
when

SEC. 81. If the judgment be rendered upon the right of the person so alleged to be entitled in favor of such person, he may recover, by action, the damages which he shall have sustained by reason of the usurpation of the office or franchise by the defendant.

One Action, When.

One action,
when

SEC. 82. When several persons claim to be entitled or elected to the same office one action may be brought by or against all such persons, in order to try their respective rights to such office.

How Conducted.

Contests for
senate and
assembly

SEC. 83. In case of contest for senator or assemblyman in any county in this state, the party contesting shall file a statement in the office of the county clerk of the county in which such senator or assemblyman may be a resident, and a concise statement of the grounds upon which he intends to reply, which statement shall be verified by affidavit; and it shall be the duty of the clerk to issue a commission, directed to a justice of the peace of such county, to meet at such time and place as shall be specified in such commission, not less than twenty nor more than thirty days from the filing of such papers, for the purpose of taking the deposition of such witnesses as the parties to such contest may wish to examine.

and notice shall be served upon the person whose right to such office is contested by the sheriff of the county, the same as provided for by law in like cases.

SEC. 84. Said justices of the peace shall have power at any time to issue subpoenas for witnesses at the request of either party, to be served by the sheriff as other subpoenas; and said justice shall have the same power to issue attachments and assess fines against witnesses as is given to justices of the peace in other trials instituted before him; and all testimony taken before him during such proceeding shall be in writing, and shall be certified to and forwarded by mail or express, or delivered to the clerk of the county.

Subpoenas to be issued

SEC. 85. It shall be the duty of said clerk to seal up such depositions, together with the original statement of the grounds of such contest, and a copy of the notice served upon the party whose right is contested, and the commission issued to the justice of the peace, and transmit the same by mail to the secretary of state, indorsing thereon the names of the contesting parties and the branch of the legislature before which such contest is to be tried.

County clerk to transmit papers to secretary of state

Secretary of State to Deliver Papers.

SEC. 86. It shall be the duty of the secretary of state to deliver the same, unopened, to the presiding officer of the house in which such contest is to be tried, on or before the second day after the organization of the legislature next after taking such depositions; and such presiding officer shall immediately give notice to said house that said papers are in his possession.

Secretary of state to deliver papers to legislature

Depositions May Be Taken, When and How.

SEC. 87. At any time after notice of any contest shall be given, and before the trial of such contested election before the proper branch of the legislature, it may be lawful for either party to such contest to take depositions, to be read on the trial thereof in like manner and under the same rules as are allowed and required in cases of depositions to be read on any trial pending in the district court; and such depositions, when thus taken, shall be sealed up by the officer taking the same and directed to the secretary of state, who shall keep the same unopened, and deliver them to the presiding officer of the house in which such contest is to be tried, to be disposed of by such officer as the depositions specified in the preceding sections.

Depositions, proceedings regarding

When Contest May Be Commenced for State Officers.

SEC. 88. Proceedings to contest the election of any state officer must be begun within sixty days after the evidence becomes available upon which contest is based.

Contests for state officers

For Other Officers.

SEC. 89. Proceedings to contest the election of any county officer, or any officer other than a state officer, must be begun

For other officers

within forty days after the evidence becomes available upon which such contest is based.

When Time Begins to Run.

When time
begins to run

SEC. 90. Delays arising from any cause tending to prevent the obtaining of evidence upon which a contest is brought shall not cause such contest to fail, but the time provided in this act shall begin to run only from the day when such evidence may be freely available to the person contesting the election of another, and from and after the passage of this act.

When Demand for Recount Must Be Made.

Demands for
recount,
when must
be made

SEC. 91. Demands for recount must be made within sixty days from the day of election, or after the passage of this act if the recount is to be had of votes cast at the last general election preceding the passage of this act.

For Contesting Election of State Officers—How Instituted.

Contest for
state offices
must be in
supreme
court

SEC. 92. Any qualified elector of the state may contest the election of any person declared duly elected to any state office within this state by filing a specification of the grounds of such contest with the clerk of the supreme court, which specification shall be verified by oath or affirmation, and it is hereby made the duty of the attorney-general to prosecute such action in the name of the people of the state before the supreme court, who shall have original jurisdiction in such cases; the justices, or any of them, shall have power to issue such process as may be necessary to the complete hearing and final determination of such action.

Petition.

REFERENDUM

Regulations
regarding
referendum

Petition

SEC. 93. Whenever ten per centum or more of the voters of this state, as shown by the number of votes cast at the last preceding general election for justice of the supreme court, shall express their wish that any law or resolution made by the legislature be submitted to the vote of the people, they shall file with the secretary of state, not less than four months before the time set for such general election, a petition, which petition shall contain the names and residences of at least ten per centum of the voters of this state, demanding that a referendum vote be had by the people of the state at the next general election upon the bill or resolution on which the referendum is demanded.

More Than One Petition—Verification.

Names need
not be on
one petition

SEC. 94. The names of the electors so petitioning need not all be upon one petition, but may be contained in one or more petitions; but each petition must be verified by at least one of the voters who has signed such petition, and such voter making such verification must swear that the persons signing said petition are qualified voters of this state. Said petition may be verified upon information and belief.

Secretary of State to Certify Questions to the County Clerk
—Same To Be Public.

SEC. 95. That upon receipt of said petition by the secretary of state he shall file the same, and at the next general election shall submit the questions of the approval or disapproval of said law or resolution to the people of the state to be voted upon at the ensuing election wherein any state or congressional officer is to be voted for, or wherein any questions may be voted upon by the electors of the entire state. And the secretary of state shall certify the said law to the several county clerks in this state, and they shall publish the same in accordance with the provisions of law requiring the said county clerks to publish questions and constitutional amendments which are to be submitted for popular vote.

Secretary of state to certify questions to county clerks, who shall publish same

Questions, How Placed on Ballots.

SEC. 96. That the title of the act shall be set out on the ballot and the question printed upon the ballot for the information of the voter shall be as follows: Shall the act (setting out the title thereof) be approved? And the votes cast upon such question shall be counted and canvassed as are the votes for state officers counted and canvassed.

Form of question

Operations of Referendum.

SEC. 97. When a majority of the electors voting on the question of the approval or disapproval of any act at a state election shall, by their vote, signify approval of the same, such act shall stand as the law of the state, and shall not be overruled, annulled, set aside, suspended, or in any way made inoperative, except by a direct vote of the people. When a majority shall so signify disapproval, the law or resolution so disapproved shall be void and of no effect.

Operations of referendum

MISCELLANEOUS PROVISIONS

Words Construed.

SEC. 98. Words in this act in the masculine gender shall be construed to comprehend the feminine gender in compliance with the constitutional amendment granting suffrage to women.

Words construed

Judicial Officers.

SEC. 99. No words designating the party affiliation of any candidate for a judicial or school office shall be printed upon the ballot.

Judicial and school offices to be nonpartisan

School Elections.

SEC. 100. School trustees shall be elected in accordance with the provisions of chapter six of an act entitled "An act concerning public schools, and repealing certain acts relating thereto," approved March 20, 1911.

School trustees elected in accordance with school law

Electors in Military Service.

SEC. 101. Electors of the State of Nevada in the military

Military
electors.
how to vote

service of the United States may, when called into such service, vote in accordance with the provisions of the act approved March 14, 1899.

Repeal.

Repeal

SEC. 102. All parts of acts in conflict with the provisions of this act are hereby repealed.

CHAP. 198—*An Act to provide for the establishment of county agricultural farms and agricultural plots, and state aid thereto.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Demonstra-
tion farms
authorized

SECTION 1. For the purpose of demonstrating new or improved varieties of agricultural and horticultural crops; the handling and management of soils; the adaptability of certain soils to certain crops; improved cultural methods in the growing and harvesting of crops; improved methods in farm management and in farm accountancy, and for any other purpose incident to agricultural development or the reclamation of lands, the boards of county commissioners of the several counties are hereby authorized to establish county agricultural demonstration farms and county agricultural demonstration plots as hereinafter provided. A demonstration farm, under the provisions of this act, shall be a farm unit of not less than ten acres nor more than eighty acres. A demonstration plot shall not be less than one acre nor more than ten acres.

Conducted
under agree-
ment with
university
authorities

SEC. 2. Every such agricultural demonstration farm or plot under the provisions of this act shall be conducted by the owner, lessee or manager thereof under the supervision of, and in accordance with, the terms of a written project agreement entered into with the agricultural extension division, University of Nevada, and approved by the board of county commissioners of the county in which the same is located. Such agreement shall include the keeping by such owner, lessee or manager, of accurate and systematic records and accounts in the form prescribed by said agricultural extension division, and which shall be subject to inspection, use and publication in furtherance of the purposes of this act.

Purposes of
such farms

SEC. 3. The purpose of such demonstration farms shall be to demonstrate the results of improved systems of farm management and accountancy, as prescribed by said agricultural extension division and applied to such farm units. The purpose of such demonstration plots shall be to demonstrate the value and importance of new or improved varieties of crops, soil management, soil and climate adaptability to certain crops, etc.

How county
avails itself
of this act

SEC. 4. Any county desiring to avail itself of the provisions of this act shall, by resolution of its board of county commissioners, bind itself to pay to the owner, lessee or

manager of such demonstration farm, or plot, as follows: For each demonstration farm, the sum of ten dollars per acre, but not exceeding the sum of one hundred dollars for any such demonstration farm unit; and for any demonstration plot, a minimum of twenty-five dollars, if the same be less than three acres, and ten dollars per acre if containing three acres or more, which said sum shall be paid annually, for each year such demonstration is to be continued, on the certification by said agricultural extension division that such demonstration has been conducted in accordance with agreement; *provided*, Proviso that no county shall be obligated under the provisions of this section, except in respect to demonstration farms and plots which have been approved by the board of county commissioners as provided in section two of this act. The authority to provide for such expenditure in the budget of the county and to disburse the same as aforesaid is hereby granted the board of county commissioners and the other officials of the several counties.

SEC. 5. Every such demonstration farm or plot conducted under the provisions of this act shall be legibly marked for the information of visitors, and shall at all proper hours be open to public inspection; *provided*, that visitors shall be held accountable for any injury done to growing crops or to the premises. Demonstration farms to be legibly marked

SEC. 6. It shall be the duty of said agricultural extension division annually to prepare the information resulting from such demonstration in a form serviceable to aid and advance agricultural welfare of the state, and such number of copies thereof as may be deemed necessary, not exceeding ten thousand, shall be printed by the state printer for free distribution. Printed reports of said work

SEC. 7. Each county availing itself of the provisions of this act shall certify to the board of examiners the sum expended by such county in the subsidy of farm demonstration as heretofore provided, and said board of examiners shall approve all such claims to the extent of one-half the amount of money so expended by any county, and the controller shall draw his warrants in favor of the said county for such proportionate amount and the state treasurer shall pay the same. County to bear equal expense

CHAP. 199—*An Act to authorize the county commissioners of Washoe County to issue bonds for improvement of county public roads, in Washoe County, Nevada.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the purpose of improving the county public roads of Washoe County, Nevada, the board of county commissioners of said county are hereby authorized, empowered and directed to issue bonds in the name of said Washoe Bonds for improvement of public roads in Washoe County

County, not to exceed in amount the sum of twenty thousand dollars, said bonds to be known as "Washoe County Public Road Bonds." Of said issue the sum of five thousand dollars of the proceeds is to be used in the improvement of the county road from Reno, Washoe County, Nevada, to a point on the state line near Purdy, California, to meet the California highway from Susanville in said county. The balance of the proceeds of such issue is to be expended by said board of county commissioners in the improvement of such public roads in said county as they may decide to improve.

Bonds, how
prepared

SEC. 2. Said board shall cause said bonds, or as many thereof as may be deemed necessary, to be prepared and they shall be signed by its members and its clerk and the county treasurer, and authenticated with the official seal of said county. Coupons representing the several installments of interest to fall due thereon shall be attached to each bond so they may be removed without injury to the bonds, numbered consecutively, and signed by the county treasurer.

Negotiation
of bonds

SEC. 3. The said board is authorized to negotiate the sale of said bonds to the highest responsible bidder at not less than their par value, after advertising for sealed bids for the same in one or more daily papers published in the city of Reno, for a period of not less than ten days, Sundays and legal holidays excluded, preceding the date of the opening of said bids; the proceeds of which shall be placed with the county treasurer in what shall be known as the fund of the "Washoe County Public Road Fund," and which said fund shall be used only for the purpose of carrying out the provisions of this act. Payments from said fund shall be made only on warrants drawn by the county treasurer of said county in payment of the obligations contracted under the provisions of this act.

Denomina-
tion of
bonds

SEC. 4. The said bonds shall be of the denomination of one thousand dollars each; they shall be numbered consecutively, and they shall bear interest at the rate of not to exceed five per cent per annum, payable on the second Monday of January of the second succeeding year in which said bonds or any of them shall have been issued, and every twelve months thereafter; and on the second Monday of January, A. D. 1920, and every twelve months thereafter, one or more of said bonds so issued shall have been fully taken up and satisfied. Said bonds shall be redeemed and paid as aforesaid in the order of their issuance, the lowest-numbered bond to be first paid and redeemed, and so on until the whole amount of said bonds shall have been paid and redeemed, as in this act provided.

Fund for
interest and
redemption
of bonds

SEC. 5. For the purpose of creating a fund for the payment of the interest on the bonds authorized by this act, the board of county commissioners of Washoe County is hereby authorized and required to levy and collect annually a sufficient tax on all property, both real and personal, subject

to taxation within the bondaries of said Washoe County, to pay the accumulated interest on all of said bonds outstanding on the second Monday in January in each year as aforesaid, and for the purpose of creating a fund for the payment of said bonds said board of county commissioners shall levy and collect a sufficient tax as aforesaid to redeem one or more of said bonds on the second Monday of January, 1920, and each twelve months thereafter. Said tax in each instance shall be levied and collected in the same manner and at the same time as other taxes are assessed, levied and collected, and the proceeds thereof shall be kept by the county treasurer of said county in the fund hereinabove created and known and designated as aforesaid. At the maturity of said bonds, and each of them, and the coupons thereon, and each of them, they, and each of them, shall be paid by the said county treasurer out of the said fund, and shall thereupon be canceled and marked "Paid" by the county treasurer; *provided, however*, that no interest shall be allowed or paid on any of the said bonds after they have become due and payable and shall have been called in for redemption.

County commissioners to levy tax

SEC. 6. All laws in force governing the letting of contracts by boards of county commissioners are hereby made applicable to, and the same shall govern, the action of the said board in carrying out the provisions of this act, and all demands and bills contracted by said board in carrying out the provisions of this act shall be filed with the county clerk, acted upon, allowed, and paid by directions of the said board, as is now required for other demands and bills by law.

General laws to govern

CHAP. 200—*An Act to amend section 77 of an act entitled "An act concerning public schools, and repealing certain acts relating thereto," approved March 20, 1911.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 77 of the above-entitled act is hereby amended so as to read as follows:

Section 77. The boards of county commissioners of the several counties of the state are hereby authorized and empowered to create new school districts from unorganized territory when there shall have been presented to them from the parents or guardians of five school census children a certified petition which shall accurately describe the boundaries of the proposed district, such boundaries to conform, when practicable, with the lines of the government surveys, and the names and ages of all children residing in such proposed district at the date of such petition. The boards of county commissioners may create new districts from a portion or portions

Certain new school districts, how created

Changes in
boundaries,
how made

of one or more established districts upon the presentation of a similar petition signed by not less than three-fifths of the heads of families and taxpayers of the districts from which the proposed new district is to be taken. They may make changes in the boundaries of districts upon petition of three-fifths of the heads of families and taxpayers of the district or districts to be affected by the change, or they may make changes in said boundaries so as to place one or more families having school children, residing in a school district much nearer the schoolhouse of an adjoining district than that of their own, in the district most convenient for them to attend; *provided*, that this may be done only on written petition of the family or families desiring such change and that said petition shall be accompanied by the recommendation of the deputy or district superintendent; *and provided further*, that before decisive action in the premises by the board of county commissioners, due notice shall be given to the two school districts to be affected by the proposed change, that parents and others who may be opposed thereto can appear before the board of county commissioners at the next regular meeting thereof, or at a later designated date, to show cause why the aforesaid petition should not be granted.

District
lapses, when

When a new school district is organized, school shall be commenced therein within one hundred twenty days from the date of action of the board of county commissioners creating such district, and if school shall not be commenced within such time within said district then such action shall become void and no such district shall exist.

Size of
district
limited

No district organized under this act shall exceed in size sixteen miles square.

CHAP. 201—*An Act to prohibit false advertising, and providing a penalty therefor.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Certain false
advertising
prohibited

SECTION 1. It shall be unlawful for any person, firm, corporation or association, who, with intent to sell or in anywise dispose of merchandise, securities, service, or anything offered by such person, firm, corporation or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or any interest therein, makes, publishes, disseminates, circulates, or places before the public, or causes, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public in this state, in a newspaper or other publication or in form of a book, notice, handbill, poster, bill, circular, pamphlet,

or letter, or in any other way, an advertisement of any sort regarding merchandise, securities, service or anything so offered to the public, which advertisement contains any assertion, representation or statement of fact which is untrue, deceptive or misleading.

SEC. 2. Any person, firm, or any officer or managing agent of any corporation or association, who shall violate the provisions of this act shall be guilty of a misdemeanor, and shall be punished by a fine of not less than fifty dollars nor more than two hundred dollars, or by imprisonment in the county jail for not less than thirty (30) days nor more than ninety (90) days, or by both such fine and imprisonment. Penalties named

CHAP. 202—*An Act to amend an act entitled "An act concerning public schools, and repealing certain acts relating thereto," approved March 20, 1911.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 97 of the above-entitled act is hereby amended so as to read as follows:

Section 97. Upon notice from the deputy superintendent of public instruction that a district has fewer than three resident children in actual school attendance, the board of county commissioners shall abolish such district; *provided, however, that where there are at least two resident children in actual school attendance, and there is sufficient funds to the credit of the district, or in its treasury to meet the actual expense attendant on the continuation of the school, the district shall be continued and the school maintained so long as such funds so exist.* School district abolished, when

CHAP. 203—*An Act to amend sections 6 and 7 of an act entitled "An act relating to officers, their qualifications, times of election, terms of office, official duties, resignations, removals, vacancies in office, and the mode of supplying the same, misconduct in office, and to enforce official duty."*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 6 of the above-entitled act is hereby amended so as to read as follows:

Section 6. The electors so chosen shall convene at the seat of government on the second Monday in January next after their election at two o'clock in the afternoon, or on such other date as the Congress of the United States may by law Regarding presidential electors

hereafter provide, and in case of the death or absence of any elector so chosen or in case the number of electors shall from any cause be deficient the electors then present shall forthwith elect from the qualified electors of the state as many persons as shall supply the deficiency.

Presidential
electors to
cast ballot
for president
and vice-
president of
U. S.

Returns
transmitted

Section 7. The electors, when convened on said second Monday in January, shall vote by ballot for one person for president and one person for vice-president of the United States, one of whom, at least, shall not be an inhabitant of this state. They shall name in their ballots the persons voted for as president, and in distinct ballots the persons voted for as vice-president; and they shall make distinct lists of all persons voted for as president, and of all persons voted for as vice-president, and of the number of votes given for each, which list they shall sign and certify and transmit, sealed up, to the seat of government of the United States, directed to the president of the senate; and they shall, in all respects, proceed conformably to the constitution of the United States, and the laws of the United States in this behalf.

CHAP. 204—*An Act authorizing the incorporation of the assets of insolvent banks and providing for the distribution of the stock of such corporation to the creditors and depositors of such banks.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

To incorpo-
rate assets of
insolvent
banks

Directors

SECTION 1. Whenever any bank shall be placed in the hands of a receiver by any court under and by virtue of the laws of this state the court, if it shall appear that such bank is insolvent and from an appraisal of its assets that it will be unable to pay more than seventy cents on the dollar to its depositors and creditors in court shall, upon the application of the attorney-general, direct that a corporation be formed with a capital stock equivalent to the aggregate amount due to the depositors and creditors of the bank, and order the receiver to sell and convey, transfer, sign and set over all property, real and personal, and all stocks, bonds, notes and causes of action to such corporation so formed, and the court shall order a distribution of the stock of such corporation prorated to the creditors and depositors of such bank. Such corporation shall be formed under the general corporation act of this state, but no fees shall be required to be paid to the secretary of state or to the county clerks under which the articles may be filed. The court shall appoint three persons to sign and acknowledge the articles of incorporation and upon the due and regular filing thereof shall appoint five directors who shall serve for three months from the date of their appointment or until their successors are elected and

qualified as hereinafter provided. It shall be the duty of the attorney-general to prepare the articles of incorporation of such corporation and attend and assist in the formation of such corporation and the transfer of the assets in the hands of the receiver or belonging to such insolvent bank to the corporation so formed.

SEC. 2. It shall be the duty of the directors appointed by the court to immediately elect a president, vice-president and secretary, and it shall be the duty of such directors to

Duties of directors

immediately call a meeting of all stockholders of such corporation for the purpose of electing officers and adopting by-laws, such meeting to be held within three months from the date of incorporation and at such time and place as may be fixed by the court. For the purpose of this act every

Depositors and creditors are stockholders

depositor or creditor of any insolvent bank in the hands of a receiver shall be considered a stockholder of the corporation so formed, and shall be entitled to one vote for each share of stock held by him or to which he may be entitled on the day of election. Every depositor or creditor shall be entitled to one share of stock for each dollar due him from such insolvent bank. At the meeting of the stockholders held pursuant to order of the court as heretofore provided, there shall be elected by them a board of five directors and they shall adopt by-laws for the corporation and transact such other business as may be proper at an annual meeting of a corporation under the laws of Nevada. The directors shall immediately following their election elect their officers and thereafter the corporation shall be conducted in accordance with the by-laws and the laws of the State of Nevada governing corporations.

Officers

SEC. 3. Nothing herein contained shall be construed as permitting the transaction of a banking business by any corporation formed hereunder.

Banking business prohibited

CHAP. 205—*An Act to amend sections 6 and 7 of an act entitled "An act to create the office of road inspector, to provide for work on public roads, and to limit the compensation therefor," approved February 27, 1897.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 6 of the above-entitled act is hereby amended so as to read as follows:

Section 6. Compensation to others than road inspector shall be not to exceed the current wage rate for day's work for the district in which such work is performed, and not to exceed the current price for one man and a span of draft animals and the current price for each additional span. The

Labor on public roads to be at current rates

person so compensated shall, without additional charge, furnish such tools, implements, vehicles, and other necessary equipment, as may be necessary to his work.

Eight hours
a day's work
on public
roads

SEC. 2. Section 7 of the above-entitled act is hereby amended so as to read as follows:

Emergency,
when

Section 7. A day's work on the public roads shall consist of at least eight hours actual labor, exclusive of the time spent in going to and returning from the work, and in no case shall pay be given for more than one day's time between sunrise and sunset of the same day, to or for the same person. In cases of emergency, however, more than eight hours labor shall be performed, and the persons so performing such labor shall be compensated for the time spent.

CHAP. 206—*An Act to amend an act entitled "An act to provide revenue for the support of the government of the state of Nevada and to repeal all acts and parts of acts in conflict herewith," approved March 22, 1915.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 10 of the above-entitled act is hereby amended to read as follows:

Regarding
state liquor
licenses

County
treasurer to
forward
statement to
state
controller

Incorpo-
rated cities
retain one-
half of liquor
licenses

Section 10. On the first Monday in each month the sheriff shall pay over to the county treasurer all moneys received by him for state liquor licenses in like manner and form as is hereinafter provided for the payment of county license moneys; and the duties and liabilities of the sheriff, treasurer and auditor with relation thereto shall be the same as hereinafter prescribed with relation to county licenses. The county treasurer shall, between the second and third Mondays in each month, forward to the state controller a certified detailed statement of all moneys paid to him by the sheriff in accordance with this section, which statement will show the number of each license, whether wholesale, retail, or druggists, to whom and date issued, period covered, amount of each license, and total amount received; which statement shall be furnished to the county treasurer by the sheriff and shall be the basis of the monthly settlement. In every county in this state, which now or may hereafter have duly incorporated cities, it shall be the duty of the license collector of said county to pay into the city treasury one-half of the amount of the moneys collected from the county liquor licenses, as defined by section 3 of this act, within the corporate limits of such city or cities.

CHAP. 207—*An Act creating the Northeastern Nevada Agricultural Board; defining its purpose, and prescribing its duties; providing for cooperation with the agricultural extension division, University of Nevada, and other matters relating thereto, and making an appropriation therefor.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the advancement of agriculture, horticulture, the livestock industry and the reclamation of lands, and for the dissemination of knowledge and information in relation thereto, in northeastern Nevada, the governor is hereby authorized to appoint three persons, resident and engaged in farming in Elko County, as members of the northeastern Nevada agricultural board, which is hereby created. The terms of office of said board shall be at the pleasure of the governor, and they shall serve without compensation other than for actual traveling and living expenses when attending meetings thereof. Said board shall organize by electing one of their number as chairman and may appoint a secretary who shall serve without salary.

North-eastern Nevada agricultural board created

SEC. 2. Said board, cooperatively with the agricultural extension division, University of Nevada, shall forthwith appoint a county agricultural agent who shall be a practical dry-farm expert and be otherwise qualified to perform the duties required of a competent agricultural leader. Said agent shall be under the direction of said board; *provided*, that his duties shall be annually defined in a written project agreement entered into by said board with the director of agricultural extension, and which shall include a detailed budget of the proposed expenditures for such year.

County agricultural agent appointed

SEC. 3. The said dry farm expert shall receive a salary of eighteen hundred (\$1,800) dollars per year, to be paid as other state salaries are paid. He shall also be entitled to actual traveling expenses, subject to audit as in the case of other state claims by the state board of examiners, after approval by the Nevada dry-farm board.

Salary, \$1,800 per year

SEC. 4. The sum of twenty-five hundred (\$2,500) dollars is hereby appropriated from any funds in the state treasury not otherwise appropriated for the purpose of paying traveling and other expenses which may be incurred in carrying out the provisions of this act.

Appropriation, \$2,500

SEC. 5. The said dry-farm expert shall make and publish annual reports for each calendar year showing his activities during the year. Such reports may, in the discretion of the state board of examiners, be printed at the state printing office under the general provisions of an act entitled "An act to designate and authorize the work to be done in the state printing office," approved March 5, 1909.

Report to be printed

CHAP. 208—*An Act to provide for the establishment and erection of a state's prison on the present prison farm property; providing for the construction of a cell-house; providing for the issuance and sale of bonds therefor; and to repeal all acts and parts of acts in conflict herewith.*

[Approved March 24, 1917]

Preamble

WHEREAS, The present Nevada state prison is of obsolete design and construction and has practically outgrown its usefulness, and the necessity of additions and betterments are such as to make it undesirable to continue the present plant, which is unsuitable for modern penal needs, it is deemed advisable to construct a new prison on the present prison farm property; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

New state
prison on
prison farm

SECTION 1. The board of prison commissioners are hereby authorized and directed to proceed with the construction of the first unit of the new Nevada state prison, as indicated in the preamble hereof; which said first unit shall consist of a cell-house of modern design and construction; *provided*, such cell-house shall be built, so far as may be deemed possible, of prison stone and by convict labor.

Commission
to prepare
bonds

SEC. 2. The governor, state controller and state treasurer are hereby constituted a commission, and hereby authorized, directed and empowered to prepare and issue bonds of the State of Nevada in the sum of fifty thousand dollars, the proceeds from the sale of which bonds are hereby appropriated for the purpose of constructing the first unit mentioned in the preceding section. Said bonds shall be in denominations of one thousand dollars each, payable in gold coin of the United States, and shall be numbered serially, and when retired shall be retired in order of their issuance. Said bonds shall be signed by the governor, and endorsed by the state treasurer, and countersigned by the state controller, and authenticated by the great seal of the state. Said bonds shall bear interest at the rate of five per cent per annum, payable semiannually, and shall be payable within twenty years from the date of issuance.

Bonds to be
sold to
educational
funds

SEC. 3. Upon the issuance and execution of said bonds the same shall be sold and delivered to the state permanent school fund, university ninety-thousand-acre grant fund, or the university seventy-two section grant fund, as money may be available and in the state treasury in said funds, and when so sold the state controller shall draw his warrant against said fund or funds for the amount of said bonds. Said bonds shall be sold at par, and the proceeds thereof shall be placed in a fund to be known as "New State Prison Building Fund." At least four of said bonds of one thousand

dollars each shall be redeemed each year commencing June 1, 1918, and annually thereafter on the same date.

SEC. 4. There shall be annually levied an ad valorem tax of one-half of one cent on each one hundred dollars of taxable property in the State of Nevada, including the net proceeds of mines, and all moneys derived therefrom shall be paid into the "New State Prison Building Interest and Redemption Fund," which shall be used for the purpose of paying interest and the annual redemption of the bonds authorized by this act. If after the payment of interest and the redemption of the number of bonds as herein provided for there shall remain a surplus in said fund, such surplus shall be used for the retirement and cancelation of additional bonds provided in this act to the amount of such surplus.

State tax
authorized

SEC. 5. The cost of the first unit of the new Nevada state prison shall not exceed the sum of fifty thousand dollars. The board of prison commissioners, on or before the first day of September, 1917, shall employ a competent architect to prepare and submit plans and specifications to said board for the construction work herein provided for, and when said plans and specifications are approved by the board said board shall advertise for a period of six weeks for sealed bids for the construction of said cell-house in accordance with the specifications, which shall be on file subject to inspection. Said board shall let the contract for the construction of said building to the lowest responsible bidder; *provided*, that any and all bids may, for sufficient reason, be rejected.

Cost of first
unit of new
prison
limited

SEC. 6. The board of prison commissioners shall provide in all contracts for time and amounts of payments thereon, as the work progresses, a reasonable stated proportion of moneys earned to be withheld until the completion and acceptance of the work by said board. Good and sufficient bonds shall be required from the contractors. All bills for the employment of architect for the erection of said building shall be considered a portion of the cost thereof, and shall be paid out of the fifty-thousand-dollar fund herein created upon bills approved by the board of prison commissioners, and audited and approved by the board of examiners of the State of Nevada as other claims against the state are paid.

Prison
commission
to provide
for payments

CHAP. 209—*An Act to accept the benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled, to provide for the promotion of vocational education, approved February 23, 1917.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. That the State of Nevada does hereby accept

State
accepts
benefits of
act of
Congress

the benefits of an act passed by the Senate and House of Representatives of the United States of America in Congress assembled entitled "An act to provide for the promotion of vocational education; to provide for cooperation with the states in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the states in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure," approved February 23, 1917, and will observe and comply with all the requirements of said act.

State board
of education
to act

SEC. 2. That the state board of education is hereby designated as the state board for the purposes of the said act and is hereby given all necessary power to cooperate with the federal board of vocational education in the administration of the provisions of the act.

State
treasurer
custodian

SEC. 3. That the state treasurer is hereby designated and appointed as custodian for vocational education and shall receive and provide for the proper custody and disbursement of moneys paid to the state from appropriations made by said act, and of moneys hereinafter appropriated by the state for this purpose.

Appropriation
for two
years, \$30,000

SEC. 4. That the sum of thirty thousand dollars (\$30,000) is hereby appropriated, out of any moneys in the state treasury not otherwise appropriated, as a vocational educational fund, to be available in the biennial period beginning July 1, 1917, for the preparation of teachers, supervisors, and directors of agricultural subjects and teachers of trade and industrial and home economics subjects; for the salary of teachers of trade and industrial and home economic subjects, and for the salary of teachers, supervisors, and directors of agricultural subjects, so as to receive the full benefit of the said act of Congress.

CHAP. 210—*An Act to amend section 104 of an act entitled "An act concerning public schools, and repealing certain acts relating thereto," approved March 20, 1911.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 104 of the above-entitled act is hereby amended so as to read as follows:

Defining
school
month

Section 104. A school month shall consist of four weeks of five days each, and teachers shall be paid only for the time in which they are actually engaged in teaching; *provided*, that when an intermission of less than six days is ordered by the trustees no deduction of salary shall be made therefor; *and provided further*, that when on account of sickness or epidemic a longer intermission is ordered by the board of

school trustees or by a duly constituted board of health, and such intermission or closing does not exceed thirty days at any one time, there shall be no deduction or discontinuance of salary or salaries therefor. The term "teacher," as used in this act, shall be understood to mean teachers, principals and superintendents of the elementary and secondary schools of this state.

Teachers not to forfeit salary during limited epidemics

CHAP. 211—*An Act requiring railroads to construct livestock guards on their rights of way.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Every person, lessee, receiver, firm, copartnership, or corporation owning, leasing, or operating any railroad in, or through any part of, the State of Nevada, shall, wherever a public road or highway crosses the fenced-in right of way of such railroad, construct such barriers, guards or other devices as will effectually prevent the entrance from such public road or highway on to the said right of way of cattle, horses, mules and burros. Such barriers, guards, or other devices shall not be placed across, or in anywise obstruct, such public road or highway.

Railroads must erect guards at crossings

SEC. 2. If any person, lessee, receiver, firm, copartnership or corporation owning, leasing, or operating any railroad in, or through any part of, the State of Nevada, shall fail to construct such barriers, guards, or other devices specified in section one of this act, and any cattle, horses, mules, or burros shall be killed, maimed, or injured on any part of such unprotected right of way, the person, lessee, receiver, firm, copartnership or corporation so offending shall pay to the owner, or agent of the owner, of any such cattle, horses, mules or burros the full market value of such animals as it was before such injury occurred.

Penalty for neglect

SEC. 3. This act shall take effect January 1, 1918.

In effect Jan. 1, 1918

CHAP. 212—*An Act to create a state board of investments of the state permanent school fund, defining its powers and duties, and other matters properly connected therewith, and repealing all acts and parts of acts in conflict herewith.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby created the state board of investments, which will have charge of all investments of moneys and the sale of all securities of the state permanent school fund. Said board shall consist of the governor, the

State board of investments, duties of

attorney-general, the superintendent of public instruction, the president of the University of Nevada, and the state treasurer. The attorney-general shall be the legal adviser of said board.

Duties of
state
controller
regarding
securities

SEC. 2. It is hereby made the duty of the state controller quarterly to notify the state board of investments of the amount of money in the state permanent school fund; and whenever there is a sufficient amount of money in said fund for investment, said board shall proceed to negotiate for the investment of the same in United States securities, in the bonds of this state, or of other states, or in bonds of any county of the State of Nevada, or in loans at a rate of interest of not less than six per cent per annum secured by mortgage on agricultural lands in this state of not less than three times the value of the amount loaned, exclusive of perishable improvements, of unexceptional title, and free from all incumbrances. Said state board of investments shall make due and diligent inquiry as to the financial standing and responsibility of the state or states, county or counties, person or persons, whose bonds or securities on agricultural lands in which it proposes to invest, and shall also require of the attorney-general his legal opinion in writing as to the validity of any act or acts of any state or county under which such bonds or securities are issued and authorized, and in which the said state board of investments contemplates investment; the attorney-general shall also be required to examine and pass upon and give his opinion in writing upon the title and the abstract of title of all agricultural land on which the state contemplates taking mortgages.

State board
to invest
securities,
how

If the state board of investments be satisfied as to the financial standing and responsibility of the state or states, county or counties, whose bonds or securities it proposes to purchase, or shall be satisfied of the financial standing and responsibility of the person or persons, corporation or corporations, whose mortgages on agricultural land are offered to the state, and the attorney-general shall give his opinion in writing that the act or acts under which said bonds or securities are issued are valid, and that the issues were duly and regularly made, or shall approve the abstract of title of the agricultural land proposed to be mortgaged, the board may approve such investment, and by a majority vote of the board shall order the state controller to draw his warrant in favor of the state treasurer for the amount to be invested, and the state controller shall thereupon draw his warrant as directed, and the state treasurer shall complete the purchase of the securities authorized by the board.

Board to
keep record

SEC. 3. The state board of investments shall keep a permanent record of all its meetings, in which record shall be recorded the aye and nay vote of the members of the board upon all questions presented to the board, and in which shall

be kept all opinions of the attorney-general as required by the provisions of this act.

SEC. 4. The state board of investments is authorized in its discretion to convert any of the bonds or securities in which any part of the state permanent school fund is now or at any time hereafter may be invested into cash by selling the same in the open market to the highest bidder or bidders, the proceeds thereof to be placed by the state treasurer in the state permanent school fund to be reinvested as provided in section 2 of this act.

Securities converted into cash, when

SEC. 5. No part of the state permanent school fund shall be invested in the bonds of any county whose entire bonded indebtedness for all purposes shall exceed ten per cent of its assessed valuation; and the amount of bonds of any county purchased or invested in by the state board of investments shall not in the aggregate exceed four per cent of the assessed valuation of any county. The rate of interest on all such county bonds shall not be less than five per cent.

Restrictions as regards counties

SEC. 6. Any person desiring to obtain a loan of the school funds on agricultural land shall make application in writing to the board and at the same time furnish to the board a full and complete abstract of title of the property offered as security for said loan. If the abstract be approved by the attorney-general and it shall appear that the person offering such mortgage has an exceptional title free from all incumbrances the state board of investments shall forthwith appoint an appraiser to view the land and improvements thereon, and make a report to the board of the value thereof.

Loans on agricultural lands

SEC. 7. If the abstract be approved by the attorney-general and the title be in accordance with the requirements of the preceding section, and the written report of the appraiser or appraisers be satisfactory to the state board of investments said loan shall be made, and the person obtaining such loan shall execute a note payable to the State of Nevada for the permanent school fund for the amount thereof, and shall execute as security for the payment of such note a mortgage upon the lands to be given as security in form and manner to be approved by the attorney-general. Such mortgage shall be recorded as other mortgages of real property. Every such loan made upon a mortgage on agricultural land shall be payable in not to exceed ten years, and provision shall be made for partial payments annually or semiannually to the state treasurer, but no payments shall be made in an amount less than one hundred dollars and interest accruing. All payments of interest and payments upon principal shall be made semiannually on June 1 and December 1 of each year.

Borrower to give note to State of Nevada

Partial payments not less than \$100

SEC. 8. Any person desiring to obtain a loan upon agricultural land as provided in this act shall furnish the abstract herein provided for, and shall pay the cost of the appraiser

Borrower to pay expense

or appraisers as may be incurred, not to exceed five dollars per day and expenses, of such appraiser or appraisers.

Appropriation, \$2,500

SEC. 9. For the purpose of carrying out the administration of this act the sum of twenty-five hundred dollars is hereby appropriated.

Repeal

SEC. 10. All acts and parts of acts in conflict herewith are hereby repealed.

CHAP. 213—*An Act for the better protection of motor vehicle dealers, garage keepers, and automobile repairmen, and giving them a lien on motor vehicles for supplies, accessories, repairs, and labor, and making it a misdemeanor to incur a bill on a motor vehicle without the consent of the owner.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

To protect automobile dealers

SECTION 1. That any person or persons, company or corporation engaged in the business of buying or selling automobiles, keeping a garage or place for the storage, maintenance, keeping or repair of motor vehicles, and in connection therewith stores, maintains, keeps or repairs any motor vehicle, or furnishes accessories, or other supplies therefor, at the request or with the consent of the owner or its or his representatives, has a lien upon such motor vehicle or any part or parts thereof for the sum due for such storing, maintaining, keeping, or repairing of such motor vehicle, or for labor furnished thereon, or for furnishing accessories or other supplies therefor, and for all costs incurred in enforcing such lien, and may, without process of law, detain such motor vehicle at any time it is lawfully in his possession until such sum is paid.

Penalties

SEC. 2. Any person or persons, company or corporation, acquiring a lien under the provision of section 1 of this act shall not lose such lien by reason of allowing the motor vehicle, or part or parts of the motor vehicle, to be removed from control of the person or persons, company or corporation having such lien, and, in case a motor vehicle, or part or parts thereof, are so removed, the person or persons, company or corporation, having such lien may, without further process of law, seize the motor vehicle, or part or parts thereof, wherever the same is or are found within the State of Nevada.

Lien secondary, when

SEC. 3. Any lien or liens so acquired shall be secondary liens or lien when the motor vehicle in question is sold or leased on a conditional sales agreement, or recorded lease or mortgage.

SEC. 4. The validity of any such lien or liens shall be passed upon and determined by the judge of the court in which the case is tried. Validity of lien, how settled

SEC. 5. Any lien or liens so acquired shall expire by limitation within 20 days, unless suit is brought by the holder of said liens or liens to enforce same. Liens expire in 20 days

SEC. 6. In the case of *bona fide* sale of a motor vehicle all lien or liens so acquired shall terminate unless the holders of such lien or liens shall notify the purchaser of said vehicle within 40 days from the date of sale. Notification within 40 days, when

SEC. 7. Any party or parties incurring a bill upon a motor vehicle without the authority of the owner of said motor vehicle or by misrepresentation shall be guilty of a misdemeanor. Misdemeanor to incur bill, when

SEC. 8. Punishment for such misdemeanor shall be a fine of not more than \$100, or thirty days in the county jail, or both, at the discretion of the court. Punishment

CHAP. 214—*An Act regulating private fish hatcheries in the State of Nevada, and providing penalties for violation hereof.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Any person may establish a private fish hatchery for the artificial propagation, culture and maintenance of food fishes; and any person lawfully conducting any such private fish hatchery, and engaged in the artificial propagation, culture and maintenance of fishes, may take them in his own enclosed waters wherein the same are so cultivated and maintained, at any time and for the purposes herein mentioned and none other. Private fish hatcheries authorized

SEC. 2. The products of such fish hatchery, fish spawn, fry and fish may be sold at any time of the year by such hatchery, or their then vendees, after having first complied with the terms of this act and the regulations of the state fish and game commission in relation thereto. Products may be sold, how

SEC. 3. No fish, spawn, fry, or fish from any private hatchery shall be sold under the terms of this act unless the location and plan of such hatchery be approved by the state fish and game commission, the same duly licensed as a private hatchery, and the state fish and game commission sanctions the sale of same. Hatching must be approved by state commission

SEC. 4. Each private fish hatchery, before it shall be entitled to the benefits of this act, shall pay to the county treasurer of the county wherein such hatchery is located, an annual license fee of ten (\$10) dollars, and such fee shall be Annual county license, \$10

credited to the game and fish preservation fund of such county.

Dealer to
pay annual
state
license of
\$2.50

SEC. 5. Every person, firm, or corporation engaged in the business of buying and selling, packing and preserving, or otherwise dealing in trout or other food fishes, obtained from private hatcheries of this state, shall procure a license for such business from the fish and game warden of the county wherein such selling, packing, and preserving is done, and shall pay an annual license fee of \$2.50.

Invoice
given with
each sale

SEC. 6. When the proprietor of any licensed fish hatchery shall sell or dispose of any fish as herein provided, he shall at the same time deliver to the purchaser or donee or attach thereto an invoice signed by the proprietor or his agent, stating the number of his license, and the name of such hatchery, the date of disposition, the kind, and as near as practicable, the weight and number of such fish, the name and address of the purchaser, consignee, or donee. Such invoice shall authorize transportation and use for six days after its date, and shall be substantially in the following form:

Form of
invoice

STATE OF NEVADA—DEPARTMENT OF FISH COMMISSION
Private Hatchery Invoice

Name of hatchery,.....
Number of license,.....Date....., 191....
Kind and number of fish,.....
Weight of same,.....pounds.
Name of consignee,.....
Address of consignee,.....

This authorizes transportation within this state, possession, and sale for six days after date, of attached-to article.
....., Proprietor.

By.....Agent.

Duplicate to
county
warden

Such proprietor or his agent shall at the same time mail, postpaid, or otherwise deliver a duplicate of such invoice to the county fish and game warden of the county in which such hatchery is located.

Invoice to
be attached
to shipment

SEC. 7. When any such fish for which an invoice is required is to be shipped by rail, express or other carrier, public or private, the invoice shall be securely attached thereto or to the package containing the same, in plain sight, and the same may then be lawfully carried and delivered within this state to the consignee named in such invoice. If such fish is held, exposed or offered for sale, or sold by the consignee, or kept in any storage, hotel, restaurant, café or boarding-house, such invoice shall be kept attached thereto as aforesaid until the same shall have been prepared for consumption. In case of a sale or disposal of a part of such fish, the vender shall at the same time make a copy of such invoice and indorse thereon the date of sale, the number and kind of fishes disposed of, and the name of the purchaser

and sign and deliver the same to the purchaser, or donee, who shall keep it attached as aforesaid until the fish is prepared for consumption, and the same shall have force and effect as the original invoice.

SEC. 8. Any wilful misstatement in, or any omission of a substantial requirement from, any invoice or copy thereof shall render the same void, and shall be deemed a violation of this act, and the possession of such fish shall be unlawful, and the possession of any fish without such invoice or a copy thereof, attached thereto, when so as above required, shall be unlawful. The proprietor of every private hatchery, licensed under the preceding section shall, whenever required by the state fish and game commission, make and send to the commission a report showing as near as practicable the kind and number of the fish added and disposed of during the year preceding, and on hand at the date of the report.

Wilful omission a violation of this act

Proprietor to report

SEC. 9. Every person or persons, firm, company, or association, or the agents thereof, violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than one hundred (\$100) dollars, nor more than two hundred and fifty (\$250) dollars, or by imprisonment in the county jail not exceeding one hundred days, or by both such fine and imprisonment.

Penalties

CHAP. 215—*An Act to amend section 10 of an act entitled "An act to enable the unincorporated cities and towns of the State of Nevada to acquire by construction, purchase, or otherwise, sewerage systems, light systems, water systems, or combined water and light systems, or combined water, light, and sewerage systems, and to issue bonds for the construction or purchase of the same, and to provide for the fixing and collections of rates for the service thereof, and other matters relating thereto," approved March 23, 1911.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 10 of the above-entitled act is hereby amended so as to read as follows:

Section 10. The provisions of this act shall apply to any unincorporated city or town within this state, which is now or may hereafter be subject to the provisions of an act of the legislature entitled "An act providing for the government of cities and towns of this state," approved February 26, 1881, and all acts amendatory thereof or supplementary thereto. Wherever the convenience of the inhabitants thereof will be benefited thereby the county commissioners may join and consolidate two or more unincorporated towns into one sewerage, light or water system district.

Unincorporated cities may acquire public utilities

Jointly, when

CHAP. 216—*An Act creating the Nevada state bureau of mines, and prescribing its duties.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Nevada state bureau of mines is hereby created. Said bureau shall be governed by a board consisting of the governor, inspector of mines, the director of the Mackay school of mines of the Nevada State University, and one commissioner who shall serve without pay.

Duties of
bureau

SEC. 2. It shall be the duty of the Nevada state bureau of mines to collect information and statistics relative to and concerning mines and mining and the mineral resources of the state, and to prepare for general distribution such information concerning the mineral resources of the various mining districts of the state, and for such publication and other means of dissemination and distributing such information as may in the discretion of said board seem advisable.

Printed
reports

SEC. 3. Such publications required to be printed may in the discretion of said board be printed at the state printing office under the provisions of the act entitled "An act to designate and authorize the work to be done in the state printing office," approved March 5, 1909.

Assistants

SEC. 4. The board may employ such assistants as may be necessary in carrying out the provisions of this act.

Appropriation, \$3,000

SEC. 5. The sum of three thousand dollars is hereby appropriated to carry out the provisions of this act.

CHAP. 217—*An Act for the protection of elk within the State of Nevada.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Elk
protected

SECTION 1. Every person or persons, firm, company or corporation who, within the State of Nevada, takes, catches or kills, or who pursues with intent to take, catch or kill, any elk, and every person or persons, firm, company or corporation who has in his, her or their possession any elk, or elk hide, or meat of elk, shall be guilty of a felony and on conviction thereof shall be imprisoned in the state prison of the State of Nevada for a term of not less than one year nor more than two years.

Penalty

May be
imported

SEC. 2. Nothing in this act shall be so construed as to prohibit the importation of elk into this state for breeding purposes or for the purpose of colonization.

CHAP. 218—*An Act to authorize the board of county commissioners of Washoe County, State of Nevada, to issue bonds to provide for deepening the Truckee river channel in section 13, T. 19 N., R. 20 E., and section 18, T. 19 N., R. 21 E., M.D.B.&M.; directing the payment of said bonds; providing for the organization of a drainage district or districts in the lower Truckee valley, as a condition precedent thereto; providing for cooperation in the further deepening, if necessary, of said Truckee river channel; and for other purposes.*

[Became a law, March 18, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the purpose of deepening the natural channel of the Truckee river in section 13, T. 19 N., R. 20 E., and section 18, T. 19 N., R. 21 E., M. D. B. & M., in Washoe County, State of Nevada, including certain required changes incident thereto of the dam and place of diversion of the Lockwood ditch, in order to reduce the maintenance cost of certain county roads and to conserve the public health by the drainage of stagnant and impounded waters in the lower Truckee valley, the board of county commissioners of said county is hereby authorized, empowered and directed to take such procedure as may be necessary to secure permit or right of way to change said dam and ditch, or any other dam or ditch necessary in their opinion to be changed, and within thirty days after the condition prescribed in section eight of this act has been complied with to issue bonds in the name of said county, not to exceed in amount the sum of twenty-five thousand dollars, said bonds to be known as the "Truckee River Drainage Channel Bonds."

Washoe
County com-
missioners
may issue
bonds for
deepening
channel of
Truckee
river

SEC. 2. Said board shall cause said bonds, or as many thereof as may be deemed necessary, to be prepared and they shall be signed by its members and its clerk and the county treasurer, and authenticated with the official seal of said county. Coupons representing the several installments of interest to fall due thereon shall be attached to each bond so they may be removed without injury to the bonds, numbered consecutively and signed by the county treasurer.

Description
of bonds

SEC. 3. That said board is hereby authorized to negotiate the sale of said bonds to the highest responsible bidder at not less than their par value, after advertising for sealed bids for the same in one or more daily papers published in the city of Reno for a period of not less than ten days, Sundays and legal holidays excluded, preceding the date of the opening of said bids; the proceeds of which shall be placed with the county treasurer in what shall be known as the "Fund of the Truckee River Drainage Channel Bonds," and which said fund shall be used only for the purpose of

Negotiation
of bonds

carrying out the provisions of this act. Payments from said fund shall be made only on warrants drawn by the county auditor of said county in payment of the obligation contracted under the provisions of this act.

**Denomina-
tion of bonds** SEC. 4. The said bonds shall be of the denomination of one thousand dollars each, they shall be numbered consecutively, and they shall bear interest at the rate of not to exceed five per cent per annum, payable on the second Monday of January of the second succeeding year in which said bonds or any of them shall have been issued, and every twelve months thereafter; and on the second Monday of January, A. D. 1925, and every twelve months thereafter, one or more of said bonds shall be redeemed and paid, until all of said bonds so issued shall have been fully taken up and satisfied. Said bonds shall be redeemed and paid as aforesaid in the order of their issuance, the lowest-numbered bond to be first paid and redeemed, and so on until the whole amount of said bonds shall have been paid and redeemed, as in this act provided.

**Fund for
payment and
redemption
of bonds** SEC. 5. For the purpose of creating a fund for the payment of the interest on the bonds authorized by this act the board of county commissioners of Washoe County is hereby authorized and required to levy and collect annually a sufficient tax on all property, both real and personal, subject to taxation within the county, to pay the accumulated interest on all of said bonds outstanding on the second Monday in January in each year as aforesaid, and for the purpose of creating a fund for the payment of said bonds said board of county commissioners shall levy and collect a sufficient tax as aforesaid to redeem one or more of said bonds on the second Monday of January, 1925, and each twelve months thereafter. Said tax, in each such instance, shall be levied and collected in the same manner and at the same time as other taxes are assessed, levied and collected, and the proceeds thereof shall be kept by the county treasurer of said county in the fund hereinabove created and known and designated as aforesaid. At the maturity of said bonds, and each of them, and the coupons thereon, and each of them, they, and each of them, shall be paid by the said county treasurer out of the said fund, and shall thereupon be canceled and marked "Paid" by the county treasurer; *provided, however*, that no interest shall be allowed or paid on any of the said bonds after they have become due and payable and shall have been called in for redemption.

Special tax

**Specifica-
tions regard-
ing work** SEC. 6. The deepening of said river channel under the provisions of this act shall consist of the excavation of a channel not less than thirty feet in width and five feet in depth through "Riffle No. 1," immediately below S. P. R. R. bridge No. 5, as so designated on the "Drainage Investigations Center Line Profile Map of the Truckee River," by M. P. Hayes, Jr. (cooperative Truckee river drainage survey

of October and November, 1916, by the state engineer, the agricultural extension division and department of engineering investigations, University of Nevada, and the office of drainage investigations, U. S. Department of Agriculture), on file in the office of the state engineer, and beginning at a point in the river channel one thousand feet above said bridge No. 5, and extending down the river to S. P. R. R. bridge No. 6, the excavation of a channel not less than thirty feet in width through all intervening riffles, reefs and bars to such depth, in each instance, respectively, that with the bottom of the excavation through reef No. 1 as a base there shall be an uninterrupted bottom gradient of not less than five inches per thousand feet for such thirty-foot or more width of deepened channel between the said terminals. And, whereas, such deepening of the river channel as aforesaid will require the removal of the dam, and changing the place of diversion of the Lockwood ditch, a part of the work under the provisions of this act shall be the construction of a new diversion channel for said ditch and of a new dam, each of such character as will leave said Lockwood ditch unimpaired in capacity to divert water from said river.

Specifications
regarding
work

SEC. 7. Said board of county commissioners shall, within sixty days after the condition prescribed in section eight of this act shall have been compiled with, prepare specifications of said excavation work and of said changing of said dam and ditch, and when the same are approved by the state engineer said board shall, for the time, in the manner and as required by law, advertise for bids for said excavation work and said changing of the Lockwood ditch and dam, and let the construction thereof by contract to the lowest responsible bidder; *provided*, that in the discretion of said board said bids may be for a fixed width of deepened channel including the changing of said ditch and dam, as aforesaid, or for a fixed sum for such total construction work as aforesaid with the bids based on maximum width of deepened channel, not less than thirty feet, including the changing of said ditch and dam contracted to be performed for such sum. All laws in force governing the letting of contracts by boards of county commissioners are hereby made applicable to, and the same shall govern, the action of the said board in carrying out the provisions of this act, and all demands and bills contracted by said board in carrying out the provisions of this act shall be filed with the county clerk, acted upon, allowed and paid by directions of the said board, as is now required for other demands and bills by law.

Specifications
to be
prepared

SEC. 8. In order to more fully and completely carry out the purposes of this act it shall be a condition precedent to any issuance of bonds or letting of any contract under the provisions of this act, that there shall have been first duly organized, under the drainage laws of the State of Nevada,

One or two
drainage
districts may
be organized

Drainage
districts to
cooperate
with county

either (a) one general drainage district, inclusive of the lands in said lower Truckee valley which, in the opinion of the state engineer, will be benefited by drainage and are properly inclusive in such drainage district; or (b) two drainage districts, one inclusive of all lands, as aforesaid, on the north side of said Truckee river, and the other inclusive of all lands, as aforesaid, on the south side of said river; the boundaries of which said district or districts to be approved by the state engineer. And if it shall appear that the deepening of said Truckee river channel, as provided in section six of this act, shall be insufficient to properly take care of the flood waters of said river and the drainage waters of said Truckee valley for the benefit of the lands as aforesaid, said drainage district or districts shall cooperate with said county to provide for such further enlargement and deepening of said river channel, beyond that provided for in section six of this act, as the state engineer may deem necessary, and in which event the specifications, bids and contract provided for in section seven shall be for such total enlargement and deepening of said river channel and changing of said ditch; *provided*, that the liability of the county for the cost thereof shall be limited to twenty-five thousand dollars. The words "duly organized," as used in this section, are hereby construed to mean the perfected organization of such drainage district or districts as described, including the financing of the cost of the adequate drainage of the lands thereof and of such additional enlargement and deepening of the river channel as aforesaid, if required; such that both the county and the land owners in such drainage district or districts shall be mutually bound to carry on and complete their respective parts in such general drainage enterprise.

CHAP. 219—*An Act to amend sections 200 and 202 of an act entitled "An act concerning crimes and punishments, and repealing certain acts relating thereto," approved March 17, 1911.*

[Approved March 27, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Pawn-
brokers must
keep record
of pledged
property

SECTION 1. Section 200 of the above-entitled act is hereby amended so as to read as follows:

Section 200. It shall be the duty of every pawnbroker and second-hand dealer doing business in any incorporated or unincorporated city in this state to maintain in his place of business a book or other permanent record in which shall be legibly written in the English language, at the time of each loan, purchase or sale, a record thereof containing:

What record
shall show

1. The date of the transaction;
2. The name of the person or employee conducting the same;

3. The name, age, street and house-number, and a general description of the dress, complexion, color of hair, and facial appearance of the person with whom the transaction is had; What record shall show

4. The name and street and the house-number of the owner of the property bought or received in pledge;

5. The street and house-number of the place from which the property brought or received in pledge was last removed;

6. A description of the property bought or received in pledge, which in the case of watches shall contain the name of the maker and the number of both the works and the case, and in the case of jewelry shall contain a description of all letters and marks inscribed thereon; *provided*, that when the article bought or received is furniture, or the contents of any house or room actually inspected on the premises, a general record of the transaction shall be sufficient;

7. The price paid or the amount loaned;

8. The names and street and house-numbers of all persons witnessing the transaction; and

9. The number of any pawn-ticket issued therefor.

SEC. 2. Section 202 of the above-entitled act is hereby amended so as to read as follows:

Section 202. Every pawnbroker and second-hand dealer doing business in any unincorporated city shall, before noon of each day, furnish in duplicate to the sheriff of the county, or if an incorporated city, to the chief of police thereof, a full, true, and correct transcript of the record of all transactions had on the preceding day, and having good cause to believe that any property in his possession has been previously lost or stolen, he shall forthwith report such fact to the said sheriff or chief of police, together with the name of the owner, if known, and the date when, and the name of the persons from whom the same was received by him. On receipt of the report provided for herein the chief of police or said sheriff shall immediately forward a copy thereof to the superintendent of the Nevada state police, and the same shall be filed of record in the office of such superintendent. Must furnish duplicates to peace officers

Officers to send copy to state police

CHAP. 220—*An Act to amend section 97 of an act entitled "An act to regulate proceedings in civil cases in this state and to repeal all other acts in relation thereto," approved March 17, 1911.* [Approved March 27, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 97 of the above-entitled act is hereby amended so as to read as follows:

Section 97. The plaintiff may unite several causes of action in the same complaint, when they all arise out of: Causes of action may be united, when

1. Contracts, express or implied; or

- Causes of action may be united, when
2. Claims to recover specific real property, with or without damages for the withholding thereof, or for waste committed thereon, and the rents and profits of the same; or
 3. Claims to recover specific personal property, with or without damages for the withholding thereof; or
 4. Claims against a trustee, by virtue of a contract, or by operation of law; or
 5. Injuries to character; or
 6. Injuries to person; or
 7. Injuries to property.
- State may unite causes, when
8. The State of Nevada may in the same complaint unite several causes of action for demands for delinquent taxes existing against the same person or persons, partnership or corporation whether said taxes are payable yearly or quarterly; but the causes of action so united shall all belong to only one of these classes and shall affect all the parties to the action, and not require different places of trial, and shall be separately stated; *provided, however*, that an action for malicious arrest and prosecution, or either of them, may be united with an action for either injury to character or to the person.
- Provided

CHAP. 221—*An Act to prevent pollution or contamination of the waters of lakes, rivers and streams in the State of Nevada, and prescribing penalties for the violation thereof, and repealing certain acts in conflict herewith.*

[Approved March 27, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Pollution of public waters prohibited

SECTION 1. Any person or persons, firm, company, corporation or association, city or town who shall deposit, or who shall permit or allow any person or persons in their employ or under their control, management or direction to deposit in any of the waters of the lakes, rivers, streams, and ditches in or running into or through the State of Nevada, or cause to be washed or infiltrated into any of said waters, or place or deposit where the same may be washed or infiltrated into any of said waters, any sawdust, pulp, oils, rubbish, filth, or poisonous or deleterious substance or substances which affects the health of persons, fish or live stock, or renders said waters unpalatable or distasteful, shall be deemed guilty of a misdemeanor and upon conviction thereof in any court of competent jurisdiction shall be fined in a sum not less than fifty (\$50) dollars, nor more than five hundred (\$500) dollars, exclusive of court costs.

Penalty

Repeal of certain act

SEC. 2. An act entitled "An act to prevent pollution or contamination of the waters of the lakes, rivers, streams and ditches in the State of Nevada, prescribing penalties and

making an appropriation to carry out the provisions of this ^{Repeal} act," approved March 20, 1903, and all acts amendatory or supplemental thereto, are hereby repealed.

CHAP. 222—*An Act to amend sections 2 and 7 of an act entitled "An act to regulate railroads, telegraph and telephone companies and other common carriers in this state, creating a railroad commission, constituting the governor, the lieutenant-governor, and the attorney-general a railroad board for the appointment and removal of the railroad commissioners, prevent the imposition of unreasonable rates, prevent unjust discrimination, insure an adequate railway service, and fixing maximum freight charges," approved March 5, 1907, and amended March 20, 1909, and amended March 27, 1911, and amended March 22, 1915, and amended March 29, 1915.*

[Approved March 27, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 2 of the above-entitled act is hereby amended so as to read as follows:

Section 2. The term "railroad," as used herein, shall mean and embrace all corporations, companies, individuals, association of individuals, their lessees, trustees or receivers (appointed by any court whatsoever) that now, or may hereafter, own, operate, manage, or control any railroad or part of a railroad as a common carrier in this state, or cars or other equipment used thereon, or bridges, terminals, or sidetracks, or any docks or wharves or storage elevators used in connection therewith, whether owned by such railroads or otherwise. The term "railroad," whenever used herein, shall mean and embrace any company or individual or association of individuals owning or operating automobiles, auto trucks, or other self-propelled vehicles, engaged in transporting persons or property for hire over and along the highways of this state as common carriers; also express companies, telegraph and telephone companies, and all companies which may own cars of any kind or character, used and operated as a part of railroad trains, in or through this state, and all duties required of and penalties imposed upon any railroad or any officer or agent thereof shall, in so far as the same are applicable, be required of and imposed upon the owner or operator of said automobiles, auto trucks, or other self-propelled vehicles, transporting persons or property for hire over and along the highways of this state as common carriers, express companies, telegraph and telephone companies, and companies

What term
"railroad"
embraces

Includes
automobiles

Exceptions

which may own cars of any kind or character, used and operated as a part of railroad trains in or through this state, and their officers and agents, and the commission shall have the power of supervision and control of all such companies and individuals to the same extent as of railroads; *provided, however*, that automobiles used exclusively as hearses or ambulances operated within the limits of cities and towns, and other automobiles which have no specified routes of travel and which are not operated as common carriers, shall not be construed as being under the jurisdiction of the commission within the meaning hereof.

Provisions of act apply throughout state

(a) The provisions of this act shall apply to the transportation of passengers and property and the transmission of messages between points within the state, and to the receiving, switching, delivering, storing and hauling of such property, and receiving and delivering messages, and to all charges connected therewith, including icing charges and mileage charges, and shall apply to all railroads, corporations, automobiles, auto trucks, or other self-propelled vehicles, express companies, car companies, freight and freight line companies, and to all associations of persons, whether incorporated or otherwise, that shall do business as common carriers upon or over any line of railroad or any public highway within this state, and to any common carrier engaged in the transportation of passengers and property, wholly by rail, or partly by rail and partly by water.

SEC. 2. Section 7 of the above-entitled act is hereby amended so as to read as follows:

Powers of railroad commission defined

Section 7. The commission shall have full power to prescribe just and reasonable railroad classifications of freight; and to fix just and reasonable charges for the transportation of all intrastate freight and intrastate passengers, for sleeping-car accommodations, for goods, merchandise, and all matter of every kind carried by express companies within this state, for the transmission of messages by telegraph companies, and for the use of telephone lines within the state. The commission shall also have power to make just and reasonable regulations for the apportionment of all such charges between two or more companies jointly engaged in the transportation of freight, passengers, express matter, telegraph or telephone messages.

The commission shall also have full power to investigate the physical condition of all railroad property, and, in the interest of safety or service, shall have power to determine and order repairs, reinforcements or reconstruction of property, including buildings, tracks, and equipment; also the power to determine and order the use of safety appliances in the interest of employees and the traveling public, such as crossing gates, flagmen, bells, devices, etc., interlocking plants at railway crossings and all other modern safety

devices, and for the better security of the public and for the purpose of reimbursing passengers or shippers for loss or damage or personal injuries, caused by the negligence of the owners or operators thereof, the commission shall require each automobile common carrier, subject to the provisions hereof, to file and keep in force with the commission an indemnity bond, issued by a company authorized to do business in the State of Nevada, in an amount not less than five hundred dollars (\$500) nor more than ten thousand (\$10,000) dollars and in such form as the commission may prescribe. The commission shall have full power to determine and order the manner in which any tracks or street railways, steam or electric railways, or other common carriers may cross the tracks of another railroad, street railway, whatever the motive power, at grade, or above or below grade, and shall prescribe the safety appliances and regulations that should be adopted at such crossings or at existing grade crossings of railroads, steam, electric, or other motive power railways for the protection of the public and the prevention of accidents. The commission shall have the power, whenever in its judgment it shall appear wise and proper to do so, to authorize and direct reasonable changes in schedules and service.

Automobile
common
carrier to
give
indemnity
bond

Further
powers of
commission

The commission shall have power to determine and order the construction of connecting or transfer tracks between two or more lines of railway, which may now or hereafter enter or pass through any town or city in this state. The expenses of said construction of such tracks to be divided between and paid by the corporations operating said railways.

It shall be the duty of all railroad corporations whose tracks shall be so connected reciprocally to transfer cars from one railroad to the other upon demand of shippers or the railroad concerned, and for which transfer services reasonable charges may be made.

Nothing in this act shall be construed so as to allow any railroad to charge more for a shorter than for a longer haul, either for passengers or freight, when the shorter haul is included within the longer or to authorize the commission to allow such charge to be made.

CHAP. 223—*An Act relating to trespasses of live stock upon cultivated land, and specifying what shall constitute a legal fence for the purposes of this act.*

[Approved March 24, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. No person, firm or corporation shall be entitled to collect damages, and no court in this state shall award

No trespass
on land not
legally
fenced

damages, for any trespass of live stock on cultivated land in this state if such land, at the time of such trespass, shall not have been enclosed by a legal fence as hereinafter defined.

What
constitutes a
legal fence

SEC. 2. A legal fence is hereby defined for the purposes of this act as a fence with not less than three horizontal barriers, consisting of wires, boards, poles or other fence material in common use in the neighborhood, with posts set not more than twenty feet apart. The lower barrier shall be not more than sixteen inches from the ground and the space between any two barriers shall be not more than sixteen inches and the height of top barrier must be at least forty-eight inches above the ground. Every post shall be so set as to withstand a horizontal strain of two hundred and fifty pounds at a point four feet from the ground, and each barrier shall be capable of withstanding a horizontal strain of two hundred and fifty pounds at any point midway between the posts.

Repeal

SEC. 3. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

In effect
June 1, 1918

SEC. 4. This act shall be effective on and after the first day of June, 1918.

CHAP. 224—*An Act to amend sections 5, 6, 8, 9, and 21 of an act entitled "An act to provide for the selection and sale of lands that have been or may hereafter be granted by the United States to the State of Nevada," approved March 12, 1885, as amended March 11, 1889, as amended March 21, 1891, as amended January 26, 1899, as amended March 10, 1909, and adding a new section to section twenty-one to be known as section 21a.*

[Approved March 27, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 5 of the above-entitled act as amended is hereby amended so as to read as follows:

Who may
purchase
state land

Section 5. Upon the application of any citizen of the United States, or any person who has legally declared his intentions to become such, over the age of twenty-one years, including females, to purchase lands not previously selected by the state, such applicant shall deposit with the state land register the amount necessary to purchase said lands, together with an affidavit, in due form, by the applicant, or some other competent person, made before an officer having an official seal and legally authorized to administer oaths, that the lands described in the application are nonmineral in character, and such affidavit shall not refer to any lands not included in such application. The land register shall endorse upon each application the exact time of its receipt in his office, and shall certify to the state controller that such person is entitled to apply for the lands, describing the same

Nonmineral
affidavit to
be made

as in the application, and said certificate shall state the grant of lands under which said application is made and the amount necessary to purchase the same. The controller shall thereupon issue his order directing the state treasurer to receive such amount, placing the same in the proper fund. The register shall at the same time certify to the treasurer said payment, which certificate shall be accompanied by the application and the amount necessary to purchase, and upon receipt of the order from the controller, the treasurer shall issue his receipt in duplicate, describing the lands applied for, and he shall, at the same time, enter in his abstract of applications the name of the person so applying, description of land, number and date of receipt, and amount paid thereon. Upon return of the application with the treasurer's receipt to the land office, the register shall file the same, and take prompt measures at the United States land office of the district in which such lands are situated to select for the state the lands described in such application. If, during a period of sixty days after the filing of any application, the state land register shall remain unable so to select any of the lands therein described, on account of conflicting entries or reservations in the United States land office, he shall cancel such application, so far as it concerns the unselectable lands therein described, and at once certify to the controller and treasurer each that such applicant is entitled to the amount paid by him or her on said unselectable lands, and the controller shall draw his warrant upon the proper fund for the amount due such applicant, and the same shall be paid by the treasurer. The state land register shall, at the same time, notify the applicant of such cancelation, and that the amount deposited thereon is subject to withdrawal, as provided by law, and no subsequent application for lands embraced in such canceled application shall be certified by the state land register until due official notice shall have been received from the intending applicant that the lands in question are subject to selection. Whenever purchase can be completed, in whole or in part, upon lands applied for, as in this section provided, the land register shall certify the same to the controller and treasurer each, and shall at once proceed to complete such sale. Should the controller, upon receipt of such certificate, find that any payment had been wrongfully apportioned, he shall issue his order directing the treasurer to transfer such amount to its proper fund. If, by reason of the nonapproval of the lands to the state, or other cause, the contemplated sale cannot be completed, in whole or in part, then, upon the demand of the applicant, or his or her legal agent or assignee, the land register shall certify to the controller and treasurer each that such applicant is entitled to the amount paid by him or her, and the controller shall draw his warrant upon the proper fund for

Duties of
land register
and state
controller

Land to be
selected in
U. S. land
office

Application
canceled,
when

Fee
withdrawn,
when

Completion
of purchase,
when

the amount due such applicant, and the same shall be paid by the treasurer.

SEC. 2. Section 6 of the above-entitled act as amended is hereby amended so as to read as follows:

Duties of land register, state controller, and treasurer Section 6. Upon the application of any person, as defined in section five of this act, for the purchase of land after the state has obtained title thereto, should such person be entitled to purchase, the state land register, state controller, and state treasurer shall proceed as provided in section five of this act.

SEC. 3. Section 8 of the above-entitled act as amended is hereby amended so as to read as follows:

One-fifth of purchase price paid at time of application Section 8. In addition to the mode and manner of the sale of state lands, the state land register is hereby further empowered to sell and dispose of any agricultural or grazing lands, payable as hereinafter specified—that is to say, with any person so defined in section five of this act, wishing to purchase lands under the provisions of this section, and who shall have made proper application therefor, and duly established his or her right to purchase under the provisions of this act, the state land register is hereby authorized and required to enter into contract to sell such lands, upon receipt of the list certifying the approval of such lands to the state, upon the following conditions, to wit: One-fifth of the purchase price to be paid upon application, the remainder of the purchase price to be paid in fifty years from the date of the contract, with the interest at the rate of six per cent per annum, interest payable annually; *provided*, that the applicant, or his heirs or assigns, may, at any time prior to the maturity of such contract, make full payment of the principal and interest due under the terms of such contract and receive patent in the name of the applicant. All such contracts shall be entered into writing with the person so purchasing, in which the conditions shall be distinctly expressed, that upon the failure to pay the annual interest or principal when due, as stipulated, the land shall immediately thereafter be subject to sale in the same manner and under the same conditions as though no such prior contract of sale had been made; *provided*, that the state land register is hereby authorized to accept an overdue interest payment on any contract during the period of one year from the date required for such interest payment; but when application is made for any portion of the land described in any contract on which the annual interest payment is overdue, it shall be the duty of the state land register to immediately declare such contract forfeited, and to accept and certify such application, and the remainder of the land embraced in such forfeited contracts shall unconditionally revert to the state; *provided further*, that no application shall be received for any part of the lands embraced in such contract within thirty days from the date when said interest payment becomes overdue unless an abandonment to

Remainder in 50 years
Interest, 6%

Full payment at any time

Land reverts, when

Overdue interest payments

Proviso

said contract be filed by the contractor, assignee, or agent. All payments of interest and for sales of lands shall be paid to the register, who shall certify the same and the terms thereof to the controller and treasurer, and the controller, upon the receipt of such certificate, shall issue his order to the treasurer, apportioning the interest to the fund to which it may belong, as in section five of this act, and upon payment being made by the register of the amount specified in the order, the treasurer shall issue his receipts in duplicate for each payment and deliver the same to the register, who shall file the original and deliver the duplicate to the payee by mail or otherwise, and when full payment shall have been made, patent shall issue to the purchaser as provided in section sixteen of this act. No timber land shall be sold unless the whole purchase price shall be paid at time of application.

Interest paid
to treasurer

Full
purchase
price for
timber land

SEC. 4. Section 9 of the above-entitled act as amended is hereby amended so as to read as follows:

Section 9. All contracts in existence at the time of the passage of this act may remain under the same conditions as stipulated in said contracts; or the unpaid principal may be made the subject of a new contract under the provisions of the foregoing section, to be paid within fifty years from the date of such new contract, with the interest at the rate of six per cent per annum at the option of the holder of such contract; *provided*, that such contract shall be made only on the day when the annual interest becomes due; *and provided further*, that the applicant shall pay to the state land register a fee of one dollar for each and every new contract so issued; said fees shall be paid to the state treasurer for the state school fund. The state land register is hereby authorized and empowered to make such rules and regulations as will carry out the provisions of this act.

Previous
contracts
may remain
under same
conditions

Provisos

SEC. 5. Section 21 of the above-entitled act as amended is hereby amended so as to read as follows:

Section 21. All claims for services, or supplies of whatever kind, or for expenses authorized by and legitimately incurred in carrying out any of the provisions of this act, except the salaries of the state land register, deputy and clerks fixed by law, shall be presented by itemized bills to the state board of examiners; and when any such claim shall be allowed by said board, they shall endorse thereon their approval of the same and direct out of what fund or funds the claim so allowed shall be paid; *provided*, that payment of all such allowed bills, salaries of the register, deputy and clerks shall be made from the state permanent school fund arising from the sales of lands.

Certain
expenses
paid from
certain funds

SEC. 21A. On the first day of each quarter, or as soon as practicable thereafter, the secretary of state or furnishing board of supplies and the superintendent of state printing shall each present to the board of examiners an itemized account of all supplies of whatever kind furnished the

Certain
expenses
paid from
school fund

Controller
and
treasurer
directed to
transfer

state land office during the preceding quarter, and upon the allowance of said claims, or any part thereof, the said board shall direct the state controller and the state treasurer to transfer, and they shall transfer, said amounts from the state school fund to the general fund of the state. The intention of this section is, that all expenses incurred in the sales of state lands shall be paid from moneys derived from such sales.

CHAP. 225—*An Act relating to the use of stamps, coupons, tickets, certificates, cards or other similar devices, for or with the sale of goods, wares and merchandise, and providing a penalty for violation thereof, and repealing all acts in conflict therewith.*

[Approved March 27, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Separate
license for
merchants
giving
trading
stamps

SECTION 1. Every person, firm, or corporation who shall use, and every person, firm, or corporation who shall furnish to any other person, firm, or corporation to use, in, with, for, or about the sale of any goods, wares, or merchandise, any stamps, coupons, tickets, certificates, card, or other similar devices, which shall entitle the purchaser receiving the same with such sale of goods, wares or merchandise to procure from any person, firm, or corporation any goods, wares, merchandise, or other article or thing of value, free of charge or for less than the retail market price thereof, upon production of any number of said stamps, coupons, tickets, certificates, cards, or other similar devices, shall, before furnishing, selling, or using the same, obtain a separate license from the auditor of each county wherein such selling or furnishing or using shall take place for each and every store or place of business in that county owned or conducted by such person, firm, or corporation from which such furnishing or selling, or in which such using, shall take place.

License.
\$2,000 yearly

SEC. 2. In order to obtain such license the person, firm, or corporation applying therefor shall pay to the county treasurer of the county for which such license is sought the sum of two thousand dollars, and upon such payment being made to the county treasurer he shall issue his receipt therefor, which shall be presented to the auditor of the same county who shall, upon the presentation thereof, issue to the person, firm, or corporation making such payment a license to furnish or sell, or a license to use, for one year, the stamps, coupons, tickets, certificates, cards, or other similar devices mentioned in section 1 of this act. Such license shall contain the name of the licensee thereof, the date of its issue, the date of its expiration, the town or city in which and the

location at which the same shall be used, and such license shall be used at no place other than that mentioned therein.

SEC. 3. No person, firm, or corporation shall furnish or sell to any other person, firm, or corporation to use in, with, for or about the sale of any goods, wares, merchandise any such stamps, coupons, tickets, certificates, cards, or other similar devices for use in any town, city, or county in this state other than that in which such furnishing or selling shall take place. License for one firm only

SEC. 4. Any person, firm, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor. Penalty

SEC. 5. This act shall take effect April 1, 1918. In effect April 1, 1918

CHAP. 226—*An Act to amend an act entitled "An act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto," approved March 22, 1865.*

[Approved March 27, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 1 of the above-entitled act is hereby amended to read as follows:

Section 1. Any number of persons, not less than five, either in this state or the United States, being subscribers to the stock of any contemplated railroad, may be formed into a corporation for the purpose of constructing, owning, and maintaining such railroad, by complying with the following requirements: Whenever stock to the amount of at least one thousand dollars for each and every mile of the proposed railroad shall have been so subscribed, and ten per cent in cash of the amount so required to be subscribed shall be actually and in good faith paid to a treasurer, to be named and appointed by said subscribers from among their number, then the said subscribers, either in person or by written proxy, after having received at least five days' notice from said treasurer of a meeting of said subscribers for that purpose, may adopt articles of association, and may elect from among the subscribers to said articles, not less than five nor more than thirteen directors. Five stockholders may incorporate railroad in Nevada

Five to 13 directors

CHAP. 227—*An Act relating to barber-shops, defining the same, providing regulations in connection therewith, protecting the health of barbers and their patrons, and fixing a penalty for the violation thereof.*

[Approved March 27, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Barber-shop defined SECTION 1. Any place where a person is shaved, his hair cut, or his beard trimmed, for hire or reward, shall be construed as being a barber-shop.

Shall not be open on Sunday SEC. 2. It shall be unlawful in any town of this state having a population or more than ten thousand people, for any person, or persons, company or corporation, to keep open, or permit to be kept open, any barber-shop or public place for the purpose of carrying on or applying the barber trade or business, or to conduct such business, on the first day of the week, commonly called Sunday, that is to say, between the hours of twelve (12) o'clock midnight of Saturday of any week, and twelve (12) o'clock midnight of the following day, Sunday.

Barber must use sanitary tools SEC. 3. Any person who shaves another person afflicted with syphilis, eczema, blood poison, or any skin disease, who does not, before he again uses his tools, towels, or water, subject them to such disinfection as may remove any virus, scale, or filth that may be on such tools, towels, or instrument, shall be guilty of a violation of this act.

Insanitary shop prohibited SEC. 4. It shall be unlawful for any person who conducts a barber-shop to permit to remain therein any virus, scale or filth, or to conduct a barber-shop that is unsanitary and dangerous to the health of its patrons.

Penalties for violation of act SEC. 5. Every proprietor, owner, manager, lessee, or other person in charge of any barber-shop in this state who shall fail to comply with this act, whether through the acts of himself, his agent or employees, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than twenty-five (\$25) dollars, nor more than one hundred (\$100) dollars, or shall be imprisoned for not more than three (3) months, or both fine and imprisonment, and every day that any barber-shop shall be conducted in violation of any of the provisions of this act shall constitute a separate offense.

CHAP. 228—*An Act to amend an act entitled "An act supplementary to an act entitled 'An act to provide revenue for the support of the government of the State of Nevada, and to repeal certain other acts relating thereto,' approved March 23, 1891."*

[Approved March 27, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 1 of the above-entitled act shall be amended to read as follows:

Section 1. Whenever the time allowed by law for the redemption of any property sold to any county treasurer for delinquent taxes, under the provisions of section 55 (ante, sec. 3667), of the act to which this act is supplementary, shall have expired, and the treasurer shall have come in possession of a deed to any property of an assessed value of less than five hundred dollars, the board of county commissioners of such county may, by an order entered upon the record of the proceedings of said board, direct the treasurer or his successor in office to sell such property, and the proceeds of such sale shall be applied as now provided by law; *provided*, that notice of such sale shall be posted in at least three public places in the county, including one at the courthouse and one on the property, for a period of not less than twenty days prior to the day of sale, or in lieu of such posting by the publication of such notice for a like period of time in some newspaper published within said county, if the board of county commissioners shall by their order so direct.

Certain delinquent property to be sold for taxes

CHAP. 229—*An Act to amend section 384 of an act entitled "An act to regulate proceedings in criminal cases in this state and to repeal all other acts in relation thereto," approved March 17, 1911.*

[Approved March 27, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 384 of the above-entitled act is hereby amended so as to read as follows:

Section 384. The court in which a trial is had upon the issue of fact, has power to grant a new trial where a verdict has been rendered against the defendant upon his application, in the following cases only:

Causes for granting new trial in criminal cases

1. When the trial has been had in his absence, if the indictment be for felony;

2. When the jury has received any evidence out of court other than that resulting from a view, as provided in section 341;

Causes for
granting new
trials in
criminal
cases

3. When the jury has separated without leave of the court, after retiring to deliberate upon their verdict, or have been guilty of any misconduct tending to prevent a fair and due consideration of the case;

4. When the verdict has been decided by lot, or by any means other than a fair expression of opinion on the part of all the jurors;

5. When the court has misdirected the jury in a matter of law, or has erred in the decision of any question of law arising during the course of the trial;

6. When the verdict is contrary to law or evidence, but no more than two new trials shall be granted for this cause alone;

7. When new evidence shall have been discovered material to the defendant and which he could not, with reasonable diligence, have discovered and produced at the trial. When a motion for a new trial is made upon the ground of newly discovered evidence, the defendant must produce at the hearing, in support thereof, the affidavits of the witnesses by whom such evidence is expected to be given, and if time is required by the defendant to procure such affidavits, the court may postpone the hearing of the motion for such length of time as, under all the circumstances of the case, may seem reasonable.

CHAP. 230—*An Act to amend section 870 of an act entitled "An act to regulate proceedings in civil cases in this state, and to repeal all other acts in relation thereto," approved March 17, 1911.*

[Approved March 27, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Security
may be
required of
nonresident
plaintiffs in
civil actions

SECTION 1. Section 870 of the above-entitled act, being section 5812 of Revised Laws of the State of Nevada, 1912, is hereby amended so as to read as follows:

Section 870. The justice may in all cases require a deposit of money to cover cost of court before issuing the summons; *provided*, that when the plaintiff in an action is a nonresident of the State of Nevada, or a foreign corporation, upon motion of the opposite party at any time before final judgment such nonresident shall be required to give security for all costs and charges that may be awarded against him or it. When such security shall be required from a nonresident plaintiff all proceedings in the action shall be stayed until an undertaking executed by two or more persons and approved by the justice shall be filed with the justice to the effect that they will pay such costs and charges as may be awarded against such nonresident plaintiff by judgment or during the progress of the action. And such undertaking shall be in a sum

not less than one hundred (\$100) dollars, or in lieu of such undertaking such nonresident plaintiff may deposit one hundred (\$100) dollars in lawful money of the United States with such justice, which shall be held subject to the conditions herein mentioned for the undertaking. When such security shall be ordered from a nonresident plaintiff, it shall be furnished within thirty days from notice of such order, or upon failure to furnish such security, judgment shall be entered for the defendant. A new or additional undertaking or deposit of cash may be ordered by the justice at any time upon proof that the original undertaking or deposit is insufficient and proceedings stayed for a nonresident plaintiff until the same be furnished or judgment entered against a nonresident defendant who shall fail to furnish the same within thirty days from notice of such order. After the lapse of thirty days from notice to a nonresident plaintiff that security has been ordered as required in this act and upon proof that no such undertaking or deposit of cash has been made, the justice shall enter judgment against such plaintiff.

Cash may
be deposited

CHAP. 231—*An Act regulating the registration of electors for general, special, and primary elections.*

[Approved March 27, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

CHAPTER 1

RESIDENCE

Residence Defined.

SECTION 1. Every citizen of the United States, twenty-one years of age or over, who will have continuously resided in this state six months and in the county thirty days and in the precinct ten days next preceding the day of the next ensuing election, shall be entitled to vote at such election; *provided*, he or she is duly registered as hereinafter provided.

Residence
defined

SEC. 2. No person shall be deemed to have gained or lost such a residence by reason of his presence or absence while employed in the military, naval, or civil service of the United States, or of the State of Nevada; nor while engaged in the navigation of the waters of the United States or of the high seas; nor while a student at any seminary or other institution of learning, nor while kept at any almshouse, or other asylum, at public expense.

Residence Not Lost.

SEC. 3. A person removing from one county within the state, within thirty days prior to any election, to another, or from one precinct to another of the same county, within ten

Residence
not gained
or lost

days prior to any election, shall not be deemed to have lost his residence in the county or precinct removed from; *provided*, he was an elector in each county or precinct on the date of removal therefrom.

Removal forfeits residence SEC. 4. If a person remove to another state, territory, or foreign country, with the intention of establishing his domicile there, and making it his home, he shall lose his residence in this state.

Burden of Proof.

Elector must show proof SEC. 5. If a person having a fixed and permanent home in this state, break up such home and remove to another state, territory, or foreign country, the intent to abandon his residence in this state shall be presumed, and the burden shall be upon him to prove the contrary; and the same rule shall obtain when a person, in like circumstances, and in like manner, shall remove from one county to another within the state, or from one precinct to another within the county.

Residence of Family Place of Residence.

Family residence elector's place of residence SEC. 6. If a man have a family residing in one place and he does business in another, the former must be considered his place of residence, unless his family be located there for temporary purposes only; but if his family reside without the state, and he be permanently located within the same, with no intention of removing therefrom, he shall be deemed a resident.

When residence is lost SEC. 7. If a person remove to another state, territory, or foreign country, with the intention of remaining there for an indefinite time, and as a place of residence, he shall lose his residence in this state, notwithstanding that he may entertain the intention of returning at some uncertain future period; and an occasional return, either for business purposes or pleasure, to the place of his former abode in this state, shall not be sufficient to preserve his residence therein.

CHAPTER 2

Registration of Electors—County Clerk as Registrar.

County clerk registrar of voters SEC. 8. The county clerk of each county of the State of Nevada is hereby declared to be an ex officio county registrar of such county. He shall have the custody of all books, documents, and papers pertaining to registration hereinafter provided for, and such books, documents, and papers are hereby declared to be an official record of the office of the county clerk of each county.

Official register and card index SEC. 9. The official register of electors in each county shall be contained in a book designated register, which book shall be so arranged in precincts and alphabetical divisions as to suitably record, fully and completely, the information given by each elector. A card index of each registered elector shall be kept and the county clerk of such county shall at all times have the custody of such index and be responsible

for the safe keeping thereof. The cards shall be four by six inches in size, of white calendered stock. The register book herein provided for shall be in such form as shall be designated by the secretary of state of the State of Nevada. The registry card shall be substantially in the following form:

(Face)

Form of
registry card

State of Nevada, }
County of..... } ss.

Number.	Date.	Name.	Sex.
Where born.	Age.	Height, ft. in.	Occupation.
Naturalized when.		Where.	
Residence.		Postoffice.	
Length of time in Precinct.		Ward.	School District.
State.	County.	City.	
Date canceled.	Date registered.	Disability, if any.	

Place where last registered.....
My political affiliations are with the.....party.

State of Nevada, }
County of..... } ss.

....., being duly sworn, says: I am the elector whose name appears on the face of this card; the several statements thereon contained affecting my qualifications as an elector are true; I am able to mark my ballot (or I am unable to mark my ballot by reason of the physical disabilities on this card specified), and I am not registered elsewhere within the State of Nevada, and claim no right to vote elsewhere than in the precinct on this card specified, so help me God.

Subscribed and sworn to before me this.....day....., 19.....
....., Registrar.

(Back)

State of Nevada, }
County of..... } ss.

....., being duly sworn on oath, says: I am the elector named on the face of this card; I am a naturalized citizen of the United States; my certificate of naturalization is lost or destroyed, or beyond my present reach, and I have no certified copy thereof; I came to the United States in the year.....; I was admitted to citizenship in the state (or territory) of....., county of..... by the.....court during the year.....; I last saw

my certificate of naturalization, or certified copy thereof,
at.....

Subscribed and sworn to before me this.....day....., 19....
....., Registrar.

Who May Register.

Justices of
the peace
deputy
registrars;
other deputy
registrars

SEC. 10. All justices of the peace are hereby designated as deputy registrars for the purpose of carrying out the provisions of this act. The county clerk of each county shall appoint deputy registrars, who shall have power to administer oaths, in each precinct of such county distant more than five miles from the county courthouse and wherein no justice of the peace resides. It shall be the duty of the deputy registrar to register all electors within his precinct applying for registration, and for this purpose he or she shall have authority to demand of the elector all information, and to administer all oaths required by this act. The deputy registrar shall be a resident elector within the precinct for which he is appointed, and shall receive as compensation for all services the sum of not more than fifteen cents for each elector registered, to be paid by the county after being approved by the county clerk. Said registry agent shall forward, within two days after the filling out of any registry cards, all such cards so filled out to the county clerk. Any deputy registrar violating any of the provisions of section 11 of this act shall be guilty of a misdemeanor and be subject to a fine of not less than \$25 nor more than \$100, for each offense.

Time for
registration

Classifica-
tion of
registry
cards

SEC. 11. Registration offices shall be open for registration of voters for any election, Sundays and legal holidays excepted, from and after the first day of June in any general election year, except as otherwise provided in this act, up to the twentieth day next preceding such election, and between the hours of 9 a. m. and 5 p. m.; *provided*, that during the ten days previous to the close of registration the registration office shall be open evenings until 9 p. m. Registry cards shall be numbered, consecutively, in the order of their receipt at the office of the county clerk. The county clerk shall classify registry cards according to the precincts in which the several electors reside, and shall arrange the cards in such precinct alphabetically in order. The cards for each precinct shall be kept in a separate filing case or drawer which shall be marked with the number of the precinct. The county clerk shall, immediately after filling out the registry card as herein provided, and as soon after receipt of cards from the deputy registrar as possible, enter upon the official register of the county in the proper precinct, the full information concerning any elector as shown by such cards.

How elector
may register

SEC. 12. Any elector residing within the county may register by appearing before the county clerk or deputy registrar and making satisfactory answers to all questions propounded by the county clerk touching the items of infor-

mation called for by such registry card and by signing and verifying the affidavit or affidavits on such card.

SEC. 13. If any applicant for registration has not resided within the State of Nevada or the county for the required length of time, but is otherwise eligible to registry, the county clerk or deputy registrar shall register such applicant; *provided*, that it shall appear to the county clerk or deputy registrar, from questions propounded to the applicant, that he will be a fully qualified elector by the time such election is held.

Eligibility for registration

SEC. 14. Every elector on changing his residence, from one precinct to another within the same county, shall cause his registry card to be transferred to the register of the precinct of his new residence by a request in writing to the county clerk of such county in the following form:

Change of registration

I, the undersigned, elector, having changed my residence from Precinct No.....to Precinct No....., in the county of....., State of....., herewith make application to have my registry card transferred to the precinct register of the precinct of my present residence. My registration number is.....

Form of request

Dated at.....on the.....day of....., 19....

SEC. 15. Any registered elector employed in moving trains, stages, or U. S. mail upon any of the transportation routes in this state may apply to the county clerk, at any time prior to the delivery of the certified copy of the register to the inspectors of election, to have his name taken off the official register and to receive from the county clerk a certificate of transfer. Such certificate shall be in form similar to the registration card, and contain all the information set forth upon such card. If it appears that he is entitled to such certificate he shall receive same. Upon presenting such certificate at any time not later than one hour prior to the closing of the polls, to the inspectors of election, in any precinct on the railroad, stage line, or transportation route on which he is employed, including the precinct in which he originally registered, the certificate mentioned above, together with his written affidavit, which shall be subscribed and sworn to before any of the inspectors of election, stating that he was so suddenly called away or detained by the transportation business in which he is employed that he did not have time to vote in the precinct in which he was originally registered, or to register under his transfer in that or any other precinct before the delivery of the certified copy of the register to the inspectors of election, the inspectors of election shall accept and file the certificate and affidavit, and shall cause the name of the elector to be entered upon the poll-list with the following remarks: "Elector allowed to vote upon presentation of certificate and affidavit on election day," and

Certificate for voter engaged in transportation business

May vote at any one of certain precincts

shall thereupon allow the elector to vote, the same as if his name had originally appeared upon the register.

Duties of
county clerk

The county clerk shall compare the signature of the elector upon such request with the signature upon the registry card of the elector indicated and may question the elector as to any information contained upon such registry card, and if the county clerk is satisfied concerning the identification of the elector and his right to have such transfer made, he shall indorse upon the registry card of such elector the date of the transfer and the precinct to which transferred, and shall file said card in the register of the precinct of the elector's present residence, and the county clerk shall make transfers of elector's name, together with all data connected therewith, to the proper precinct in the register.

County clerk
to revise
official
register after
November
election

SEC. 16. Immediately after every general November election the county clerk of each county shall compare with the official register of said precinct on file in his office, the list of the electors who have voted at such election in each precinct, as shown by the official poll-book returned by said inspectors of election of each precinct to the county clerk, and he shall remove from the official register the registry cards of all electors who have failed to vote at such election, and shall mark each of said cards with the word "Canceled," and shall place such canceled cards for the entire county in alphabetical order in a separate drawer to be known as the "canceled file," but any elector whose card is thus removed from the official register may reregister in the same manner as his original registration was made, and the registration card of any elector who thus reregisters shall be filed by the county clerk in the official register in the same manner as original registration cards are filed. The county clerk shall at the same time cancel, by drawing a red line through the entry thereof, the name of all such electors who have failed to vote at such election.

Registration
closed 20
days prior to
any election

SEC. 17. The county clerk shall close all registration for the full period of twenty days prior to any election. Within three days after the closing of registration he shall transmit to the secretary of state a statement showing the number of voters registered in said county, approximating the number of registry cards not yet received at his office. The county clerk of each county must cause to be published in newspapers published within his county and having a general circulation therein, a notice signed by him to the effect that such registration will be closed on the day provided by law, specifying such day in such notice, and stating that electors may register for the ensuing election by appearing before the county clerk at his office or by appearing before a deputy registrar in the manner provided by law. The publication of such notice must continue for a full period of thirty days next preceding the close of registration for any election. At least fifteen days before the time when the register is closed

Notice of
closing
published

for any election, the county clerk shall cause to be posted, in not less than five conspicuous places in each voting precinct, a copy of such election notice, stating the time when the official register will close for such election.

SEC. 18. The county clerk shall, at least ten days preceding any election, cause to be printed or written lists of all electors registered and entitled to vote in the individual precincts of such county, and shall forthwith forward to the secretary of state a full, true and correct list of all registered voters with their postoffice addresses. Such lists of registered electors shall contain the names of the electors in full. The expense of printing or writing said lists shall be paid by the county in which the election is held. The county clerk shall cause to be posted, not less than eight days before any election, not less than five copies of such written or printed registry lists in not less than five conspicuous places within the proper precincts; *provided*, that the printing or writing shall cost not to exceed five cents per folio for the printed or written matter of such lists and not to exceed six dollars per thousand for printed or written copies thereof. He shall cause to be published in not to exceed two papers published in different parts of the county, for one insertion, a complete list of all the registered voters of said county, segregated by the precincts; *provided*, that the cost to the county shall not exceed five cents per name to each newspaper publishing such notice. He shall furnish to any qualified elector applying therefor copies of any precinct or county lists at a charge of not to exceed ten cents per folio therefor.

Registry lists to be prepared by county clerk

Limit as to cost

Published in newspaper

Poll-Book—Precincts Including More Than One County.

SEC. 19. During the time intervening between the closing of the official register and five days before the ensuing election, the county clerk shall prepare for each precinct, a book to be known as the "poll-book." Said poll-book shall be arranged for the listing of the names of electors in alphabetical order, and opposite each name in ruled columns with appropriate headings shall appear the information contained upon the registry cards of each elector, excepting his oath. The poll-books so prepared shall be delivered to the judges of election prior to the opening of the polls in each precinct. Where the precincts in municipal elections or in elections in school districts of the first class include more than one county precinct, the county clerk shall combine into one poll-book the names of all electors in the several precinct registers of the precincts of which such municipal or school district precinct is composed.

Poll-book, what to exhibit

SEC. 20. If at any time the register is closed for any impending election, but open for some other election, any elector shall be permitted to register for such other election, but the county clerk shall retain his registry card in a separate file until the official registry is again open for filing of

Regarding special elections

cards, at which time all cards in such temporary file shall be placed in their proper position in the official register.

When
registry card
must be
canceled

SEC. 21. The county clerk must cancel any registry card in the following cases:

1. At the request of the party registered.
2. When he has a personal knowledge of the death or removal from the county of the person registered or when a duly authenticated certificate of the death of any elector is filed in his office.
3. When the insanity of the elector is legally established.
4. Upon the production of a certified copy of the judgment of conviction of any elector of felony.
5. Upon the production of a certified copy of the judgment of any court directing the cancelation to be made.
6. Upon the request of any elector who desires to change his politics, provided said change is made thirty days before any primary election. If any card is canceled by reason of this subdivision 6, the elector may reregister.

Fee of
county clerk
for register-
ing names

SEC. 22. The county clerk shall receive, for the use and benefit of the county, from every city or town, and from every school district of the first class, to which the poll-books referred to in the last section have been furnished for municipal or school district elections, the sum of five cents for each and every name entered in such poll-books and this sum shall be in full payment for all services rendered by said county clerk; except that there shall be paid to the county in like manner the amount of the actual expense incurred in posting the list of electors, and in publishing the notices required by law, and any other expense incurred on account of any such municipal or school district election. It shall be the duty of the city or town council or board of school trustees to order a warrant drawn for such sum as may be due to the county under the provisions of this section within thirty days after the presentation of the account to them by said county clerk.

Challenges,
regulations
regarding

SEC. 23. At any time not later than the tenth day prior to any election, a challenge may be filed with the county clerk, signed by a qualified elector in writing, and duly verified by the affidavit of the elector, that the elector designated therein is not entitled to vote. Such affidavit shall state the grounds of challenge, objection, and disqualification. The county clerk shall file the affidavit of challenge in his office as a record thereof. The county clerk must deliver a true and correct copy of any and all of such affidavits so filed to the inspectors of election, at the same time, and together with the copy of the precinct registers and check lists, and other papers required by this act to be delivered, and he must write distinctly opposite to the name of any person whose qualifications as an elector has been challenged, the words "To be challenged." It shall be the duty of the inspectors of election, if, on the election day, such person who has been objected to and challenged applies to vote, to test,

under oath, his qualifications. Notwithstanding the elector is registered, his right to vote may be challenged on the day of election by any qualified registered elector orally stating to the inspectors of election the grounds of such objection or challenge.

It shall be the duty of the inspectors of election when it appears that any elector offers to vote and is either challenged by a duly qualified registered elector on election day, or by an affidavit of objection filed with the county clerk to test the qualifications of the elector and ask any questions that judges may deem proper. They shall compare the answers of the elector to such questions, which answers shall be given under oath, with the entries in the precinct register books, and if it be found that said elector is disqualified, or that the answers given by such elector, to the questions propounded by the inspectors do not correspond to the entry in the precinct registers, or that said elector is disqualified from any cause under the law, or if he refuses to take an oath as to his qualifications, he shall not be permitted to vote. The inspectors of election, in their discretion may require such elector to produce before them one or more qualified electors of the county, as they may deem necessary, and have them examined under oath, as to the qualifications of the elector.

Regarding challenges

SEC. 24. When a naturalized citizen applies for registration his certificate of naturalization or a certified copy thereof must be produced and stamped, or written in ink by the registry agent with such registry agent's name and the year, month and day and county where presented, but if it satisfactorily appears to the registry agent, by the affidavit of the applicant (and the affidavit of one or more credible electors when deemed necessary), that his certificate of naturalization or a certified copy thereof is lost or destroyed or beyond the reach of the applicant for the time being, said registry agent must register the name of said applicant, unless he is by law otherwise disqualified; but in case of failure to produce the certificate of naturalization, or a certified copy thereof, the registry agent must propound the following questions:

Naturalized citizen, regarding naturalization certificate

1. In what year did you come to the United States?
2. In what state or territory, county, court, and year were you finally admitted to citizenship?
3. Where did you last see your certificate of naturalization, or a certified copy thereof?

Lost certificate, questions regarding

SEC. 25. In any action or proceeding instituted in a district court to compel the county clerk to make and enter the name of any elector in the precinct register, one or more electors may join in the same action to compel the registrar to place his, her, or their respective name upon the register of qualified electors and upon the copy of the register furnished to the election officers.

Voters may join in one action

Registration prerequisite to voting

Proviso

SEC. 26. No person shall be entitled to vote at any election mentioned in this act unless his name shall, on the day of election, except at school elections in school districts of the second and third class, appear in the copy of the official precinct register furnished by the county clerk to the judges of the election; and the fact that his name so appears in the copy of the precinct register shall be *prima facie* evidence of his right to vote; *provided*, that when the judges shall have good reason to believe, or when they shall be informed by a qualified elector that the person offering to vote is not the person who was so registered in that name, the vote of such person shall not be received until he shall have proved his identity as the person who was registered in that name by the oath of two reputable freeholders within the precinct in which such elector is registered.

Action when name is erroneously omitted from register

SEC. 27. Any elector whose name is erroneously omitted from any precinct poll-books, may apply for and secure from the county clerk, a certificate of such error stating the precinct in which such elector is entitled to vote, and upon the presentation of such certificate to the judges of election in such precinct, the said elector shall be entitled to vote in the same manner as if his name had appeared upon the precinct poll-book. Such certificate shall be marked "Voted" by the judges and shall be returned by them with the poll-book.

Deputies included

SEC. 28. Wherever in this act the words "county clerk" appear, it shall be construed as extending and giving authority to any regularly appointed deputy county clerk.

Masculine gender includes feminine

SEC. 29. The word "elector," as used in this act, shall apply to male and female electors, and the pronoun "he," used herein, shall be construed and intended to mean the word "he" or "she."

"Election" includes all classes of elections

SEC. 30. The word "election," as used in this act where not otherwise qualified, shall be taken to apply to general, special, primary nomination and municipal elections, and to elections in school districts of the first class.

Penalty: gross misdemeanor for violation of act

SEC. 31. Any person or persons or any officer of any county, city or town school district, who, under the provisions of this act, are required to perform any duty, and shall wilfully or knowingly fail, refuse, or neglect to perform such duty, or to comply with the provisions of this act, shall be guilty of a gross misdemeanor. Upon the conviction of any officer of the violation of the provisions of this act, the judges of the district court hearing such proceeding shall, at the time of rendering judgment of conviction, include in such order of conviction, an order of the court that such officer be removed from office.

Challenged voter guilty of misdemeanor, when

SEC. 32. If any person offering to vote at any election be challenged by an inspector or any qualified elector at said election, as to his right to vote thereat, an oath shall be administered to him by one of the judges that he will

truly answer all questions touching his right to vote at such election, and if it appear that he is not a qualified voter under the provisions of this act, his vote shall be rejected; and if any person whose vote shall be so rejected shall offer to vote at the same election, at any other polling place, he shall be deemed guilty of a misdemeanor.

SEC. 33. Any person who shall make false answers either for himself or another, or shall violate or attempt to violate any of the provisions of this act, or knowingly encourage another to violate the same, or any public officer or officers or other persons upon whom any duty is imposed by this act, or any of its provisions, who shall wilfully neglect such duty, or shall wilfully perform it in such way as to hinder the objects and purposes of this act, shall, excepting where some penalty is provided by the terms of this act, be deemed guilty of a gross misdemeanor, and if such person be a public officer, shall also forfeit his office.

Various offenses constitute gross misdemeanor

SEC. 34. It shall be the duty of the board of county commissioners of each county to provide the county clerk thereof with sufficient help to enable him to properly perform the duties imposed upon him by this act, and the cost of the stationery, printing, publishing, and posting to be furnished or procured by the county clerk by the provisions of this law shall be a proper charge upon the county.

County to furnish clerk with help; expenses a county charge

SEC. 35. All acts and parts of acts in conflict with this act are hereby repealed.

Repeal

CHAP. 232—*An Act to amend an act entitled "An act to secure liens to mechanics and others, and to repeal all other acts in relation thereto," approved March 2, 1875, by amending section 9 thereof, also designated as 1 Revised Laws of Nevada, 1912, section 2221.*

[Approved March 27, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 9 of the above-entitled act is hereby amended to read as follows:

Section 9. Every building or other improvement mentioned in section 1 of this act, constructed upon any lands with the knowledge of the owner or the person having or claiming any interest therein, shall be held to have been constructed at the instance of such owner or person having or claiming any interest therein, and the interest owned or claimed shall be subject to any lien filed in accordance with the provisions of this chapter, unless such owner or person having or claiming an interest therein shall, within three days after he shall have obtained knowledge of the construction, alteration or repair, or the intended construction, alteration or repair, give notice that he will not be responsible

Relating to mechanics' liens

Relating to
mechanics'
liens

for the same, by posting a notice in writing to that effect in some conspicuous place upon said land, or upon the building or other improvement situate thereon, and also shall, within five days after such posting, file a duplicate original of such posted notice with the recorder of the county where said land or building is situated, together with an affidavit attached thereto showing such posting of the original notice. Such filing shall be *prima facie* evidence of said posting.

CHAP. 233—*An Act to amend an act entitled "An act relating to the compensation of injured workmen in the industries of this state, and the compensation to their dependents where such injuries result in death, creating an industrial insurance commission, providing for the creation and disbursement of funds for the compensation and care of workmen injured in the course of employment, and defining and regulating the liability of employers to their employees; and repealing all acts and parts of acts in conflict with this act," approved March 15, 1913, and as amended by an act approved March 22, 1915.*

[Approved March 27, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Amending
industrial
insurance
law

SECTION 1. Section 1 of the above-entitled act, as amended by an act approved March 22, 1915, is hereby amended so as to read as follows:

Employer
presumed to
have
accepted
terms of act,
when

Section 1. (a) When, as in this act provided, an employer shall accept the terms of this act and be governed by its provisions, every such employer shall be conclusively presumed to have elected to provide, secure, and pay compensation according to the terms, conditions, and provisions of this act for any and all personal injuries by accident sustained by an employee arising out of and in the course of the employment; and in such cases the employer shall be relieved from other liability for recovery of damages or other compensation for such personal injury, unless by the terms of this act otherwise provided.

Compulsory
on state,
cities, school
districts, etc.

(b) Where a state, county, municipal corporation, school district, cities under special charter and commission form of government, is the employer, the terms, conditions and provisions of this act, for the payment of premiums to the state insurance fund for the payment of compensation and amount thereof for such injury sustained by an employee of such employer, shall be conclusive, compulsory, and obligatory upon both employer and employee.

(c) If an employer having the right under the provisions of this act to accept the terms, conditions and provisions

thereof, shall fail to accept the same as herein provided, every such employer shall be deemed to have rejected the terms, conditions, and provisions thereof, and in such case such employer shall not escape liability for personal injury by accident sustained by an employee of such employer when the injury sustained arises out of and in the usual course of the employment, because:

Employers rejecting law shall not escape legal liability because—

(1) The employee assumed the risks inherent or incidental to, or arising out of, his or her employment; or the risks arising from the failure of the employer to provide and maintain a reasonably safe place to work, or the risks arising from the failure of the employer to furnish reasonably safe tools or appliances, or because the employer exercised reasonable care in selecting reasonably competent employees in the business:

Employee assumes incident risks

(2) That the injury was caused by the negligence of a coemployee;

Negligence of coemployee

(3) That the employee was negligent, unless and except it shall appear that such negligence was wilful and with intent to cause the injury, or the result of intoxication on the part of the injured party;

Employee self-negligent

(4) In actions by an employee against an employer for personal injuries sustained, arising out of and in the course of the employment where the employer has rejected the provisions of this act, it shall be presumed that the injury to the employee was the first result, and growing out of the negligence of the employer; and that such negligence was the proximate cause of the injury; and in such case the burden of proof shall rest upon the employer to rebut the presumption of negligence.

Negligence of employer presumed, when

(d) Every such employer shall be conclusively presumed not to have elected to provide, secure, and pay compensation to employees for injuries sustained arising out of and in the course of the employment according to the provisions of this act, unless and until notice in writing of an election to accept shall have been given to the Nevada industrial commission, substantially in the following form:

Employer presumed to have elected to pay compensation, when

EMPLOYER'S NOTICE TO ACCEPT

To the Nevada Industrial Commission:

Employer's notice to accept

You are hereby notified that the undersigned accepts the provisions of the "Nevada Industrial Insurance Act."

Signed.....

(e) Where the employer has given notice of an election to accept the terms of this act, and the employee has not given notice of an election to reject the terms of this act, every contract to hire, express or implied, shall be construed as an implied agreement between them, and a part of the contract on the part of the employer to provide, secure and pay, and on the part of the employee to accept, compensation in the

Implied agreement construed, when

manner as by this act provided for all personal injuries sustained arising out of and in the course of employment.

Accepting
employer to
be governed
by terms of
this act

(f) Every such employer electing to be governed by the provisions of this act, before becoming entitled to the benefits of the act in the providing, securing, and paying of compensation to the employees thereunder, shall, on or before the first day of July, 1917, and thereafter during the period of his election to be governed by the provisions of the act, pay to the Nevada industrial commission all premiums in the manner hereinafter provided; and during the period of his election to be governed by the provisions of the act shall comply with all conditions and provisions of the act, hereinafter stated.

Employer, by
failure to pay
premiums,
rejects terms
of act

(g) Failure on the part of any such employer to pay the premiums as by the provisions of this act required shall operate as a rejection of the terms of the act. In the event of any rejection of this act or the terms hereof, such rejecting employer shall post a notice of rejection of the terms of the act upon his premises in a conspicuous place. Failure to post said notice shall constitute a misdemeanor.

Employer to
post all
notices

(h) It shall be the duty of such employer at all times to maintain the notice or notices so provided for the information of his employees, and any person failing so to maintain the same shall be guilty of a misdemeanor.

SEC. 2. The above-entitled act is hereby amended by the adding of an additional section to be known as section 2 $\frac{1}{2}$, which shall read as follows:

Employer
not to make
any charge
against
employee for
liability

Section 2 $\frac{1}{2}$. It shall be unlawful for any employer who has elected to reject the terms, conditions and provisions of this act, to make any charge against any employee, or to deduct from the wages of any employee any sum of money to meet the costs, in whole or in part, of the liability incurred by the employer by reason of his rejection of the Nevada industrial insurance act. Any such employer who makes a deduction for such purpose from the salary or wage of any employee shall be guilty of a misdemeanor, and shall, upon conviction, be fined not less than one hundred (\$100) dollars nor more than five hundred (\$500) dollars for each offense. It is hereby made the duty of the district attorney of the county where a violation of this provision is charged to prosecute such cases upon complaint of the commission, or upon complaint of any employee who submits proper evidence of a violation of this provision.

SEC. 3. Section 4 of the above-entitled act, as amended by an act approved March 22, 1915, is hereby amended so as to read as follows:

Provisions
when
employer
accepts and
employee
rejects

Section 4. (a) When the employer has accepted the terms of this act, or the employee has rejected the terms thereof in compliance with the provisions of this act, such election shall continue and be in force until such employer shall thereafter reject the provisions of this act, or said employee

accept the provisions of this act, respectively, as provided in subsection (b) of this section.

(b) When an employer accepts, or an employee rejects, the provisions of this act, such party may at any time thereafter elect to waive such acceptance or rejection by giving notice in writing in the same manner required by the employer in accepting, or by the employee in rejecting, the provisions of this act, and which shall become effective when filed with the Nevada industrial commission.

Further provisions

SEC. 4. Section 21 of the above-entitled act is hereby amended so as to read as follows:

Section 21. (a) Every employer electing to be governed by the provisions of this act shall, on or before the first day of July, A. D. 1917, and monthly thereafter, pay to the Nevada industrial commission for a state insurance fund premiums in such a percentage of his estimated total pay-roll as shall be fixed by order of the Nevada industrial commission; *provided, however*, that all premium rates now in effect shall be continued in full force and effect until changed, altered or amended by order of the Nevada industrial commission.

Accepting employer must pay premiums on pay-roll

The Nevada industrial commission may require all premiums required by this act to be paid for three months in advance upon the estimated pay-roll of the employer, unless the commission be satisfied of the financial responsibility of the employer, or unless a good and sufficient surety bond for the payment of premiums be given by the employer to the Nevada industrial commission.

Premiums may be required to be paid 3 months in advance

(b) The Nevada industrial commission shall have the power, as experience and conditions demand, to increase or decrease the rates above provided; sixty days' notice of any change in rates shall be given before the same shall become effective; the commission shall have the power, and it shall be their duty, to classify occupations with respect to their degree of hazard, and determine the risks of the different classes and fix the rates of premiums of the same, based upon the total pay-roll and number of employees in each of said classes of occupation and sufficiently large to provide an adequate fund for the compensation provided for in this act, and to create a surplus sufficiently large to guarantee a satisfactory state insurance fund from year to year.

Commission may increase or decrease rates on 60 days notice

SEC. 5. Section 23 of the above-entitled act is hereby amended to read as follows:

Section 23. (a) Every injured employee within the provisions of this act shall be entitled to receive, and shall receive promptly, such medical, surgical and hospital or other treatment, nursing, medicines, medical and surgical supplies, crutches and apparatus, including artificial members as may reasonably be required at the time of the injury and within ninety days thereafter, which may be extended to one year by the Nevada industrial commission. The benefits conferred by

Injured employee to receive prompt medical treatment

this paragraph upon the injured employee shall hereinafter be termed "Accident Benefits."

Fund for
accident
benefits

(b) For the purpose of providing a fund to take care of said accident benefits as in this act provided the Nevada industrial commission is authorized and directed to collect a premium upon the total pay-roll of every employer except as hereinafter provided in such a percentage as the commission shall by order fix; every employer paying such premium shall be relieved from furnishing accident benefits, and the same shall be provided by the Nevada industrial commission. Every employer paying such premium for accident benefits may collect one-half thereof, not to exceed one dollar per month, from each employee, and may deduct the same from the wages of such employee.

Commis-
sion may
adopt rules
and
regulations

The Nevada industrial commission shall have the authority to adopt such reasonable rules and regulations as may be necessary to carry out the provisions of this subdivision of this section. All fees and charges for such accident benefits shall be subject to regulation by the commission, and shall be limited to such charges as prevail in the same community for similar treatment of injured persons of like standard of living.

State
insurance
fund not
liable for
accident
benefits

The state insurance fund provided for in this act shall not be liable for any accident benefits provided by this section, but the fund provided for accident benefits shall be a separate and distinct fund, and shall be so kept.

Duty of
employer to
injured
employee

(c) It shall be the duty of every employer accepting the provisions of this act, immediately upon the occurrence of any injury to any of his employees, to render to such employee all necessary first aid, including cost of transportation of the injured employee from the place of injury to the nearest place of proper treatment where the injury is such as to make it reasonably necessary for such transportation; such employer shall forthwith notify the commission of such accident, giving the name of the injured employee, the nature of the accident and where and by whom the injured employee is being treated, and the date of the accident. Every employer paying accident benefit premiums to the Nevada industrial commission furnishing such first aid shall be entitled to receive from the commission the amount of such expenditure reasonably made.

Employers
providing
accident
benefits

(d) Every employer operating under this act alone or together with other employers may make arrangements for the purpose of providing accident benefits as defined in this act for injured employees, and such employers may collect one-half of the cost of such accident benefits from their collective employees, not to exceed one dollar per month from any one employee, and may deduct the same from the wages of each employee. Employers electing to make such arrangements for providing accident benefits shall notify the Nevada industrial commission of such election, and in the event of

failure to so notify said Nevada industrial commission of such election they shall be liable for premiums for accident benefits as heretofore provided by subdivision (b) of this section.

(e) If it be shown or the commission finds that the employer is furnishing the requirements of medical, surgical, or hospital aid or treatment provided for in this act in such a manner that there are reasonable grounds for believing that the health, life, or recovery of the employee is being endangered or impaired thereby, the commission may, upon application of the employee or upon its own motion, order a change in the physician or other requirements, and if the employer fails to promptly comply with such order, the injured employee may elect to have such medical, surgical, or hospital aid or treatment provided by or through the Nevada industrial commission, in which event the cause of action of said injured employee against the employer or hospital association shall be assigned to the Nevada industrial commission for the benefit of the state insurance fund, and the Nevada industrial commission shall furnish to said injured employee the medical, surgical, or hospital aid or treatment provided for in this act.

Commission may interfere, when

SEC. 6. Section 25 of the above-entitled act, as amended by an act approved March 22, 1915, is hereby amended so as to read as follows:

Section 25. Every employee in the employ of an employer within the provisions of this act, who shall be injured by accident arising out of and in the course of employment, or his dependents, as hereinafter defined, shall be entitled to receive the following compensation:

(A) DEATH BENEFITS

If the injury causes death, the compensation shall be known as a death benefit, and shall be payable in the amount and to and for the benefit of the persons following:

Death benefits specified

1. Burial expenses not to exceed one hundred and twenty-five (\$125) dollars in addition to the compensation payable under this act.

2. To the widow, if there is no child, thirty per centum of the average wage of the deceased. This compensation shall be paid until her death or remarriage with two years' compensation in one sum upon remarriage.

3. To the widower, if there is no child, thirty per centum of the average wage of the deceased, if wholly dependent for support upon the deceased employee at the time of her death. This compensation shall be paid until his death or remarriage.

4. To the widow or widower, if there is a child or children, the compensation payable under clause (1) or clause (2), and in addition the additional amount of ten per centum of such wage for each such child until the age of eighteen years, not to exceed a total of sixty-six and two-thirds per cent for

Death
benefits
specified

such widow or widower and the children. If the children have a guardian other than the surviving widow or widower, the compensation on account of such children may be paid to such guardian. The compensation payable on account of any child shall cease when he dies, marries, or reaches the age of eighteen years, or if over eighteen years, and incapable of self-support, becomes capable of self-support.

5. If there be surviving child or children of the deceased under the age of eighteen years, but no surviving wife (or dependent husband) then for the support of each such child until the age of eighteen years, fifteen per centum of the wages of the deceased; *provided*, that the aggregate shall in no case exceed sixty-six and two-thirds per centum of such wages.

6. If there be no surviving wife (or dependent husband) or child under the age of eighteen years, there shall be paid to the parent or parents, if wholly dependent for support upon the deceased employee at the time of his death, twenty-five per centum of the average monthly wage of the deceased during dependency; to the brothers or sisters, under the age of eighteen years, if one is wholly dependent upon the deceased employee for support at the time of the injury causing death, twenty per centum of the average monthly wage for the support of such brother or sister, until of the age of eighteen years. If more than one brother or sister is wholly dependent, thirty per centum of the average monthly wage at the time of the injury causing death, divided among such dependents share and share alike. If there is no one of them wholly dependent, but one or more partly dependent, ten per centum divided among such dependents share and share alike.

7. In all other cases, questions of total or partial dependency shall be determined in accordance with the facts as the facts may be at the time of the injury. If the deceased employee leaves dependents only partially dependent upon his earnings for support at the time of the injury causing his death, the monthly compensation to be paid shall be equal to the same proportion of the monthly payments for the benefit of persons totally dependent as the amount contributed by the employee to such partial dependents bears to the average wage of deceased at the time of the injury resulting in his death. The duration of such compensation to partial dependents shall be fixed by the commission in accordance with the facts shown, but in no case shall exceed compensation for one hundred months.

8. Compensation to the widow or widower shall be for the use and benefit of such widow or widower and of the dependent children, and the commission may, from time to time, apportion such compensation between them in such way as it deems best for the interests of all beneficiaries.

If a dependent to whom a death benefit is to be paid is an

alien not residing in the United States the compensation shall be only sixty (60) per cent of the amount or amounts above specified. Death benefits specified

9. Any excess of wages over one hundred and twenty (\$120) dollars a month shall not be taken into account in computing compensation for death benefits.

10. In such cases where compensation is awarded to the widow, dependent children, or persons wholly dependent, no lump-sum settlement shall be allowed.

(B) TOTAL DISABILITY

1. Temporary total disability: For temporary total disability, compensation of fifty per cent (50%) of the average monthly wage, but not more than seventy dollars (\$70) nor less than twenty dollars (\$20) per month for a period not to exceed twelve (12) months. At the end of twelve (12) months from the date of injury, should the disability persist and exist, a physical examination of the injured man shall be made and the character and quality of the disability determined. Thereafter, compensation shall not exceed the sum of sixty dollars (\$60) per month. Total disability benefits specified

2. Permanent total disability: In cases of total disability adjudged to be permanent, compensation of fifty per cent (50%) of the average monthly wage, but not less than twenty dollars (\$20) per month nor more than fifty dollars (\$50) per month during the life of the injured person.

In cases of the following specified injuries, in the absence of proof to the contrary, the disability caused thereby shall be deemed total and permanent:

1. The total and permanent loss of sight in both eyes.
2. The loss by separation of both legs at or above the knee.
3. The loss by separation of both arms at or above the elbow.
4. An injury to the spine resulting in permanent and complete paralysis of both legs and both arms.
5. An injury to the skull resulting in incurable imbecility or insanity.
6. The loss by separation of one arm at or above the elbow, and one leg by separation at or above the knee may be deemed a permanent total disability.

The above enumeration is not taken as exclusive; and in all other cases, permanent total disability shall be determined in accordance with the facts.

(C) PARTIAL DISABILITY

1. Temporary partial disability: For temporary partial disability, one-half of the difference between the wages earned before the injury and the wages which the injured person is able to earn thereafter, but not more than forty dollars (\$40) per month for a period not to exceed sixty (60) months during the period of said disability. For the purpose of this Partial disability benefits specified

Partial
disability
benefits
specified

provision any excess of wages over one hundred and forty dollars (\$140) per month shall not be taken into account in computing compensation for temporary partial disability.

2. In case of any of the following specified injuries, the disability caused thereby shall be deemed a permanent partial disability, and the amounts named, subject to a minimum of twenty dollars (\$20) per month and a maximum of sixty dollars (\$60) per month, shall be paid in addition to the compensation paid for temporary total disability.

(a) For the loss of a thumb, fifty per cent (50%) of the average monthly wages during fifteen (15) months.

(b) For the loss of the first finger commonly called the index finger, fifty per cent (50%) of the average monthly wages during nine (9) months.

(c) For the loss of a second finger, fifty per cent (50%) of the average monthly wages during seven (7) months.

(d) For the loss of a third finger, fifty per cent (50%) of [the average monthly wages during five (5) months.]

[(e) For the loss of the fourth finger, commonly called the] little finger, fifty per cent (50%) of the average monthly wages during four (4) months.

(f) The loss of the distal or second phalange of the thumb, or the distal or third phalange of the first, second, third, or fourth finger, shall be considered a permanent partial disability, and equal to the loss of one-half of such thumb or finger, and compensation shall be one-half of the amount specified for the loss of the entire thumb or finger.

(g) The loss of more than one phalange of the thumb or finger shall be considered as the loss of the entire finger or thumb; *provided, however*, that in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand.

(h) For the loss of a great toe, fifty per cent (50%) of the average monthly wages during seven (7) months.

(i) For the loss of one of the other toes other than the great toe, fifty per cent (50%) of the average monthly wages during two and one-half months.

(j) However, the loss of the first phalange of any toe shall be considered to be equal to the loss of one-half of such toe, and compensation shall be one-half of the amount above specified.

(k) The loss of more than one phalange shall be considered as the loss of the entire toe.

(l) For the loss of a hand, fifty per cent (50%) of the average monthly wages during forty (40) months.

(m) For the loss of an arm, fifty per cent (50%) of the average monthly wages during fifty (50) months.

(n) For the loss of a foot, fifty per cent (50%) of the average monthly wages during thirty-five (35) months.

(o) For the loss of a leg, fifty per cent (50%) of the average monthly wages during forty-five (45) months.

(p) For the loss of an eye, fifty per cent (50%) of the average monthly wages during twenty-five (25) months.

(q) For permanent and complete loss of hearing in one ear, fifty per cent (50%) of the average monthly wages during twenty (20) months.

(r) For permanent and complete loss of hearing in both ears, fifty per cent (50%) of the average monthly wages during sixty (60) months.

(s) The permanent and complete loss of the use of a finger, toe, arm, hand, foot, or leg may be deemed the same as the loss of any such member by separation.

(t) The permanent and complete loss of sight in one eye may be deemed as the loss of one eye.

(u) Facial disfigurement: For permanent disfigurement about the head or face, which shall include injury to or loss of teeth, the commission may allow such sum for compensation thereof as it may deem just, in accordance with the proof submitted, but said compensation shall not exceed fifty per cent (50%) of the average monthly wage, nor to exceed sixty dollars (\$60) per month during twelve (12) months.

(v) In all cases of permanent partial disability, not otherwise specified in the foregoing schedule, the percentage of disability to the total disability shall be determined. For the purpose of computing compensation a disability that is partial in character but permanent in quality, the sum of sixty dollars (\$60) per month for the period of one hundred (100) months shall represent a one hundred per cent (100%) disability.

In determining the percentage of disability, consideration shall be given, among other things, to any previous disability, the occupation of the injured employee, the nature of the physical injury, and the age of the employee at the time of the injury; and the compensation paid therefor shall be the percentage of the disability caused by the injury times fifty per cent (50%) of the average monthly wage, not to exceed sixty dollars (\$60) per month, for one hundred (100) months during the life of the injured employee. Whenever the monthly payments under this subsection are so small that the payments thereof during the full period will work a hardship on the beneficiary, or be of no substantial benefit, the period may be shortened and the payments correspondingly increased in such manner that the same may be of substantial benefit to the injured employee.

(w) Where there is a previous disability as the loss of one eye, one hand, one foot, or any other previous permanent disability, the percentage of disability for a subsequent injury shall be determined by computing the percentage of the entire disability and deducting therefrom the percentage of the previous disability as it existed at the time of the subsequent injury.

Partial
disability
benefits
specified

Partial
disability
benefits
specified

(x) The commission may adopt a schedule for rating permanent disabilities and reasonable and proper rules to carry out the provisions of this subsection.

No compensation shall be payable for the death or disability of an employee, if his death be caused by, or in so far as his disability may be aggravated, caused or continued by an unreasonable refusal or neglect to submit to or follow any competent and reasonable surgical treatment or medical aid.

SEC. 7. Section 26 of the above-entitled act, as amended by an act approved March 22, 1915, is hereby amended so as to read as follows:

Who are
total
dependents

Section 26. (a) The following persons shall be conclusively presumed to be totally dependent for support upon a deceased employee:

1. A wife upon a husband whom she has not voluntarily abandoned at the time of the injury;

2. A husband, mentally or physically incapacitated from wage earning, upon a wife whom he has not voluntarily abandoned at the time of injury;

3. A natural, posthumous, or adopted child or children, whether legitimate or illegitimate, under the age of eighteen years, or over that age, if physically or mentally incapacitated from wage earning, upon the parent with whom he or they are living at the time of the injury resulting in the death of such parent, there being no surviving parent. Step-parents may be regarded in this act as parents, if the fact of dependency is shown, and a step-child or step-children may be regarded in this act as a natural child or children, if the existence and fact of dependency is shown.

(b) Questions as to who constitute dependents and the extent of their dependency shall be determined as of the date of the accident or injury to the employee, and their right to any death benefit shall become fixed as of such time, irrespective of any subsequent change in conditions, and the death benefits shall be directly recoverable by and payable to the dependent or dependents entitled thereto, or to their legal guardians or trustees.

SEC. 8. Section 33 of the above-entitled act is hereby amended so as to read as follows:

Reports must
be filed
with com-
mission

Section 33. (a) Every employer electing to be governed by the provisions of this act, and every physician and surgeon who attends an injured employee, within the purview of this act, is hereby required to file with the commission, under such rules and regulations as the commission may from time to time make, a full and complete report of every known injury to an employee arising out of or in the course of his employment and resulting in loss of life or injury to such person. Such report shall be furnished to the commission in such form and in such detail as the commission may, from

time to time prescribe, and shall make special answers to all questions required by the commission under its rules and regulations. It shall be unlawful for any person, firm or corporation, agent or officer of any firm or corporation, or any attending physician or surgeon to fail or refuse to comply with any of the provisions of this section; and any person, firm, or corporation, agent or officer of any firm or corporation, or physician or surgeon, who fails or refuses to comply with the provisions of this section, shall be guilty of a misdemeanor for each and every offense, and, upon conviction thereof, shall be punished by a fine of not less than fifty (\$50) dollars nor more than two hundred (\$200) dollars.

Reports must
be filed
with com-
mission

(b) Any physician, having attended an employee within the purview of this act, in a professional capacity, may be required to testify before the commission when it shall so direct. Information gained by the attending physician or surgeon, while in attendance on the injured man, shall not be considered a privileged communication, if required by the commission for a proper understanding of the case and a determination of the rights involved.

Physicians
must testify
when
required

(c) Whenever any accident occurs to any employee, it shall be the duty of the employee to forthwith report such accident and the injury resulting therefrom to the employer, and it shall also be the duty of any physician employed by such injured employee to forthwith report such accident and the injury resulting therefrom to the employer and to the Nevada industrial commission. Whenever any accident occurs to any employee, and knowledge of same comes to the attention of the employer by such report or otherwise, the employer may at once designate, and send the physician so chosen by such employer and authorized by such employer in writing; and the physician, so chosen, shall be permitted by the employee or any person or persons in charge of said employee to make one examination of said injured employee in order to ascertain the character and extent of the injury occasioned by such accident. Thereupon, it shall be the duty of the said physician, so chosen, to forthwith report to the employer and to the Nevada industrial commission the character and extent of the said injury, as so ascertained by said physician.

Employee
must report
injury to
employer

(d) If the happening of the said accident, or the infliction of said injury to said employee, shall not have been reported by said employee or his said physician forthwith, as above described and immediately after the happening of said accident and injury, or if the said injured employee or those in charge of him (the injured employee being a party to the refusal) shall refuse to permit the employer's physician, so chosen, to make such examination, no compensation shall be paid for the injury so claimed to result from said accident; but it shall be within the discretion of the Nevada industrial

Procedure
when injury
is not
reported

Procedure
when injury
is not
reported

commission to relieve said injured person or his dependents from such loss or forfeiture of compensation, if the said Nevada industrial commission shall be of the opinion, after investigation, that the circumstances attending the failure on the part of the employee, or of his physician, to report said accident and injury are such as to have excused the said employee and his physician for such failure to so report, and that such relieving of the employee or his dependents from the consequences of such failure to report will not result in an unwarrantable charge against said state insurance fund.

SEC. 10. The above-entitled act is hereby amended by adding an additional section thereto to be known as section 34 $\frac{1}{2}$, which shall read as follows:

Notice of
injury to be
given within
30 days

Section 34 $\frac{1}{2}$. Notice of the injury for which compensation is payable under this act shall be given to the commission as soon as practicable, but within thirty days after the happening of the accident. In case of the death of the employee resulting from such injury, notice shall be given to the commission as soon as practicable, but within sixty days after such death. The notice shall be in writing and contain the name and address of the injured employee and state in ordinary language the time, place, nature and cause of the injury and be signed by said injured employee, or by a person in his behalf, or in case of death, by one or more of his dependents or by a person on their behalf. No proceeding under this act for compensation for an injury shall be maintained unless the injured employee, or some one in his behalf, files with the commission a claim for compensation with respect to said injury within ninety days after the happening of the accident, or, in case of death, within one year after such death. The notice required by this section shall be served upon the commission, either by delivery to and leaving with it a copy of such notice, or by mailing to it by registered mail a copy thereof in a sealed, postpaid envelope addressed to the commission at its office, and such mailing shall constitute complete service; the failure to give such notice or to file such claim for compensation within the time limit specified in this section shall be a bar to any claim for compensation under this act, but such failure may be excused by the commission on one or more of the following grounds: (1) That notice for some sufficient reason could not have been made. (2) That failure to give such notice will not result in an unwarrantable charge against the state insurance fund. (3) That the employer had actual knowledge of the occurrence of the accident resulting in such injury. (4) That failure to give notice was due to employee's or beneficiary's mistake or ignorance of fact or of law, or of his physical or mental inability, or to fraud, misrepresentation or deceit.

SEC. 10. The above-entitled act is hereby amended by

adding an additional section thereto to be known as section 40½, which shall read as follows:

Section 40½. It shall be the duty of the industrial commission board, provided for by section 8 of this act, annually or as often as they may deem necessary to make an audit of all books of accounts and record and of funds and securities of the Nevada industrial commission, and said industrial commission board is authorized to employ and fix the compensation of a competent accountant for the purpose of making such audit or audits, the expenses thereof to be paid out of the state insurance fund.

Audit of accounts of commission must be made

SEC. 10½. Section 37 of the above-entitled act is hereby repealed.

Section repealed

SEC. 11. Except as otherwise provided herein this act shall be effective on and after July 1, 1917.

When effective

CHAP. 234—*An Act creating the office of state assayer and inspector and providing for the appointment of such officer, defining his duties and other matters relating thereto.*

[Approved March 27, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The office of state assayer and inspector for the State of Nevada is hereby created.

SEC. 2. The state assayer and inspector shall receive as full compensation for his services a salary of three thousand (\$3,000) dollars per annum and his necessary traveling expenses when traveling in the discharge of his official duties, and necessary expenses for deputy hire, postage, stationery, printing, and other office expenses; *provided*, said compensation and all expenses except deputy hire shall be paid as the salary and expenses of other state officers are paid. Before entering upon the discharge of his duties he shall file an official bond in the sum of ten thousand (\$10,000) dollars, conditioned for the faithful performance of the duties of said office, in form and manner as other official bonds of state officers.

Office of state assayer and inspector created

Salary and expenses

Official bond

SEC. 3. The state assayer and inspector shall not at the time of his appointment, or at any time during his term of office, be an owner, officer, director or employee of any mining corporation, smelter, sampler or mill which purchases ore or does custom work, and he shall not hold stock or bonds of or in any smelter, sampler or mill purchasing ore or doing custom work. He shall further be a practical mining man and have had at least five years actual and immediate experience in the mining business and shall be a qualified assayer and metallurgical chemist of at least three years actual

Qualifications of said officer

experience. The state assayer and inspector and his deputies shall each take and subscribe the following oath:

Oath for
state assayer
and deputies

State of Nevada,
County of..... } ss.

I,, of County, do solemnly swear that I will do and perform each and every duty required by me as state assayer and inspector for the State of Nevada; that I will never at any time divulge or disclose to any person or persons, directly or indirectly, under any circumstances, any information relative to assays, tonnage reports or other data secured or received by me as state assayer and inspector, except to the parties directly interested or by their express permission. So help me God.

Nothing in said oath shall be construed to prevent said officer from making statistical reports as required by law.

Office at
capitol

SEC. 4. The state assayer and inspector shall be provided with a properly furnished office at the state house in Carson City, Nevada, in which he shall carefully keep a complete record of all his official acts.

Mining
operators
to report

SEC. 5. It is hereby made the duty of the owner, lessor, lessee, agent, manager or other person in charge of each and every sampler, ore purchaser and custom mill of any kind or character in Nevada, to forward monthly on the first day of each and every month to the state assayer and inspector, a statement of the tonnage of ores received and the camp from which shipped.

Duties of
state assayer

SEC. 6. It shall be the duty of the state assayer and inspector to take charge at the destination thereof of all ores consigned to samplers, custom mills or other ore purchasers located in this state, whenever requested so to do by the owner or forwarder of such shipments. The state assayer and inspector shall sample such ores taken charge of with the purchaser or independently as he may see fit and at any and all times he may see fit and samples taken by him shall be assayed at the state analytical laboratory. The shipper or owner of such ore shall pay the State of Nevada the sum of twenty-five (25) cents the ton for the services as rendered in taking charge of, sampling and assaying the said ores, and the purchaser of such ores shall withhold the amount so due the State of Nevada from the money due said shipper as a prior charge and forward the sum so withheld to the state treasurer of Nevada to be placed in a fund to be known as the "Assayer and Inspector Fund." The assayer and inspector shall forward immediately to the owner or shipper the assays and result of sampling done by him. He shall also do whatever other things are necessary and requisite to protect the rights and interests in the ore of the consignor; *provided*, that if the ore is consigned or marketed at a sampler, purchaser or custom mill where less than fifty (50) tons of ore daily are

Fees

Fund created

Proviso

received and sampled by the state assayer and inspector, the consignor shall be required to pay the actual costs of such inspection and sampling, including traveling expenses and deputy hire. The assayer and inspector shall also make daily statements to the state treasurer for checking purposes.

SEC. 7. All moneys received by the state treasurer for taking charge of and sampling ores shall be deposited in a separate fund to be known as the "Assayer and Inspector Fund," and paid out as herein provided. Fees to go into fund

SEC. 8. The state assayer and inspector may appoint deputies as necessary, at a wage of not to exceed five (\$5) dollars the day and traveling expenses; *provided*, said deputies shall be paid out of the fund known as the "Assayer and Inspector Fund," in the state treasury, and no deputy hire shall be incurred unless there are sufficient funds on hand to pay the per diem and expenses in said fund. All bills of the state, including the wages of deputies, shall be submitted to and allowed by the board of examiners of Nevada. Deputies may be appointed

SEC. 9. Said appointment shall be made by the governor, and said state assayer shall hold office at the pleasure of the governor. Governor to appoint

SEC. 10. The words and phrases of this act, unless such construction be inconsistent with the context, shall be construed as follows: Words and phrases construed

(a) The word "sampler," any individual, copartnership, company, association or corporation buying, purchasing, accepting consignments of or receiving for delivery any mineral-bearing ore from any mine or mines not owned and operated by it.

(b) The words "custom mill" shall include any mill, smelter or any other plant used for the reduction of ores and extracting the mineral therefrom, which treats and reduces ores other than those produced and extracted from a property owned and operated wholly by it.

(c) The word "purchaser" and "ore purchaser" include any individual, copartnership, company, association and corporation which purchases, buys, accepts on consignment, or for delivery, any mineral-bearing ores.

SEC. 11. For the purpose of carrying out the provisions of this act, the sum of one thousand (\$1,000) dollars is hereby appropriated out of any moneys in the general fund of the state treasury not otherwise appropriated. Appropriation, \$1,000

SEC. 12. A violation of any provision of this act shall be a misdemeanor and punishable with a fine of not less than twenty-five (\$25) dollars, nor more than five hundred (\$500) dollars, or imprisonment in the county jail not to exceed four (4) months. Penalties for violation

SEC. 13. Each section of this act and every part of each section is hereby declared to be independent sections and parts of sections, and the holding of any section or part Each section independent

thereof to be void or ineffective for any cause shall not be deemed to nor affect any other section or any part thereof.

CHAP. 235—*An Act to amend sections two, three, and four of an act entitled "An act to license and regulate insurance business in this state," approved February 23, 1881, and to repeal all acts or parts of acts amendatory thereof, supplementary thereto, or in conflict herewith.*

[Approved March 27, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 2 of said act as amended is hereby amended so as to read as follows:

Insurance companies incorporated in state must have at least five resident directors and \$100,000 cash capital invested in state

Section 2. Corporations may be formed under the general laws of this state for the transaction of insurance business, but no such corporation shall be permitted to assume any risk as insurer unless the same shall have at least five directors, who shall be residents and property owners in this state and stockholders in the corporation; nor until such corporation shall have a paid-up, unimpaired cash capital equal to one hundred thousand dollars, in United States gold coin, which shall be invested in this state, in state or United States bonds, bonds and mortgages on first-class, otherwise unincumbered real estate, the market value of which shall be at least double the amount invested in or loaned thereon, bonds of any school district, city or county in this state, the issuance of which was duly authorized by law, bonds of any railroad, wagon-road, ditch, or canal incorporation or association; *provided*, that for one year after the granting of the license herein-after provided for, to any insurance company formed under the laws of this state, such cash capital of one hundred thousand dollars may consist of twenty-five thousand dollars in cash, and seventy-five thousand dollars in negotiable promissory notes, payable to it, approved by the state bank examiner and state controller, and bearing interest at the rate of at least six per cent per annum, and payable within one year after the granting of such license; *provided*, that such bonds or securities shall at no time be estimated as assets of such corporation at more than their actual cash value, and nothing in this act shall be construed to permit any investment in mining stock. Any corporation formed under the laws of this state for the transaction of insurance business may change its name, increase its capital stock, change the location of its principal office, extend its corporate existence, change the number of its directors or trustees, and make such other amendments, changes or alterations as may be desired, in the manner provided by section 40 of an act entitled "An act providing a general corporation law."

Proviso

Governed by corporation law

approved March 16, 1903, or in the manner provided under the laws of this state relating to corporations; *provided*, that nothing herein contained shall be so construed as to authorize or permit any corporation formed under the provisions of this act to decrease its capital stock to less than one hundred thousand dollars.

SEC. 2. Section 3 of said act is hereby amended so as to read as follows:

Section 3. No loans shall be made to any stockholder upon the security of the capital stock of such insurance company, and no loans shall be made to any director, officer or employee of such insurance company unless he gives good and sufficient security for the repayment of such loan, which security must be approved by a majority vote of the board of directors and the state bank examiner, the applicant for such loan not voting.

Restriction
of loans to
stockholders

SEC. 3. Section 4 is hereby amended so as to read as follows:

Section 4. No association, firm or individual, whose principal office shall be in this state, shall be permitted to transact business as insurer on terms more favorable than are defined in section two of this act.

To observe
section 2

SEC. 4. All acts and parts of acts in conflict herewith are hereby repealed.

Repeal

CHAP. 236—*An Act to create the office of purchasing agent of the county of Esmeralda, and providing for the duties and compensation of such purchasing agent.*

[Became a law, March 22, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The office of purchasing agent of the county of Esmeralda is hereby created, and the board of county commissioners of the said county are hereby authorized to appoint, by a majority vote of such board, one of the members of such board of county commissioners as purchasing agent for the said county of Esmeralda.

Purchasing
agent for
Esmeralda
County
authorized

SEC. 2. The said commissioner so appointed as such purchasing agent shall receive as compensation as such officer, in addition to the salary received by him as county commissioner, the salary of \$50 per month, said salary to be paid out of the general fund of the county of Esmeralda in the same manner as the salaries of other officers of the said county are paid.

County com-
missioner to
be said
agent;
additional
salary

SEC. 3. The said purchasing agent of Esmeralda County so appointed is hereby authorized and directed to purchase all supplies of every nature whatsoever required for the carrying on of all branches of the county business, and all branches of the business of all unincorporated cities and

Duties of
said agent

Duties of
purchasing
agent

towns in said county, including all supplies used in the various offices of the county government, all supplies necessary for the maintenance of the courthouse of said county, the county hospital of said county, and all road, bridge, and street work in said county, and all other supplies of every nature whatsoever which may be required by the said county in all its branches, or which may be required by any unincorporated city or town in said county in any of its departments, and no purchase of any nature whatsoever made for said county or any unincorporated city or town in said county by any person other than the purchasing agent of the said county or the board of county commissioners thereof shall be valid or shall create any obligation upon the said county; *provided*, that it shall be incumbent upon the purchasing agent herein provided to solicit prices upon all supplies to be purchased under the provisions of this act, from the different merchants doing business in the county who deal in the wares to be bought, and it shall be the duty of the purchasing agent, and he is hereby directed to thereafter buy such supplies from the person, firm, or corporation submitting the lowest price or prices for the supplies intended to be purchased; *provided further*, that all purchases so made shall be approved by the board of county commissioners at a regular meeting of said board.

Purchases to
be made
from county
merchant
giving lowest
terms

Repeal

SEC. 4. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

CHAP. 237—*An Act to amend an act entitled "An act to provide for the organization and government of drainage districts, and to provide for the acquisition, repair, and development of canals, drains, ditches, watercourses, and other property, and for the distribution of water thereby for drainage purposes, and to provide for the levying of taxes, and for the issuing and sale of bonds thereof," approved March 31, 1913.*

[Approved March 27, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 8 of the above-entitled act is hereby amended so as to read as follows:

Officers of
drainage
districts

Section 8. Within thirty days after their election and qualification the supervisors shall meet and organize as a board, and elect a president, a secretary, and a treasurer from among their own number. Each of such officers shall hold office during the pleasure of the board. The board of supervisors shall have power to adopt a code of by-laws governing the conduct of the business and affairs of the district as a corporation in connection with its association

with individuals in and outside of the district, and regulating the use of its drainage system by outsiders. It shall also have the power to make and execute all necessary contracts, to employ and appoint such agents, officers, and employees as may be required, prescribe their duties, and generally to perform such acts as shall be necessary to fully carry out the purposes of this act. The board and its agents and employees shall likewise have the right to enter upon any lands to make surveys, and may locate the necessary drainage canal or canals, and the necessary branches for the same, on any lands which may be deemed best for such location. It shall have the right also to acquire on behalf of said district, by purchase or condemnation or other legal means, all lands and other property necessary for the construction, use, maintenance, repair, and improvement of said canal or canals, drains and works constructed (including canals, drains or drain ditches being constructed by private owners), and all necessary appurtenances. The value of the land or other property taken for use by the district shall be determined, if possible, by arbitration, the arbitrators to be selected in the usual manner, and if the owner thereof will not consent to arbitration, then by condemnation proceedings. In case of necessity for condemnation proceedings the board shall proceed in the corporate name of the district under the provisions of the law relating to eminent domain. The right of way without cost is hereby granted to any drainage district organized under this act over, along, and across any land owned by the State of Nevada.

Powers and
duties

SEC. 2. Section 16 of the above-entitled act is hereby amended so as to read as follows:

Section 16. The board of supervisors shall, on or before the first day of February of each year, prepare a statement and estimate of the amount of money to be raised by taxation within said district for the purposes of constructing canals, drains, drain ditches, and other works, and maintaining the same; paying the interest upon the bonded indebtedness of the district; creating a sinking fund for redeeming such bonds; and for the purpose of maintaining and repairing drainage canals, flumes, conduits, bridges, culverts and other works within said district; and for the management and control of such drainage system, and amount advanced by the county in which the district is situated in the creation of the district, and shall assess the entire amount needed in each year, including amount advanced by county, to be paid in a lump sum against all of the land within said district in proportion to the benefits resulting to each tract of land by the construction and maintenance of such drainage system; the said board of supervisors shall view each tract of land within the district,

Board to
levy
assessments

Limit of
assessments

and shall carefully consider all the benefits that each particular tract of land will receive from the construction and maintenance of such drainage system, and assess each tract of land in accordance with the benefits received by it, but such assessment shall never exceed one dollar per acre per year on all cultivatable land within the district. The term "benefits" shall be construed as applying equally to all tillable land within the drainage district. After such assessment is made up the secretary of the board of supervisors shall transmit the same to the board of county commissioners, and the board of county commissioners shall cause notice to be sent by mail to each land owner in the district of the amount of the tax assessed upon the land owned by him within the district; and stating therein the time and place when the board of county commissioners shall meet as a board of equalization to hear and determine complaints made against such assessments. The board of county commissioners shall meet during the month of March of each year at a time and place to be designated by it, to hear all complaints made against assessments made by it, at which meeting the board shall hear all complaints made, and after a full consideration thereof shall equalize and finally determine the assessments to be made and levied upon each tract of land within the district, and shall thereupon certify the same to the county auditor of the county within which such district is located; the county auditor shall enter the same in the tax-rolls of the county; and it shall be the duty of the county treasurer to collect such taxes at the time and in the same manner that the said county taxes are collected.

County commissioners to
hear
complaints
against
assessment

SEC. 3. Section 20 of the above-entitled act is hereby amended so as to read as follows:

Board to
give notice in
newspaper

Section 20. After adopting a plan of said drainage canal or canals, drains, drain ditches and works the board of supervisors shall proceed to give notice, by publication thereof, not less than twenty days, in at least one newspaper published or having a general circulation in each of the counties composing the district, and in such other publication as they may deem advisable, calling for bids for the construction of such work or of any portion thereof; if less than the whole work is advertised, then the portion so advertised must be particularly described in such notice. Said notice shall set forth that plans and specifications can be seen at the office of the board of supervisors and that the board of supervisors will receive sealed proposals therefor, and that the contract will be let to the lowest responsible bidder, stating the time and place appointed, and the same shall be opened in public, and as soon as convenient thereafter, the supervisors shall let said work, either in portions or as a whole, to the lowest responsible bidder, or they may reject any and all bids, in which event the board of supervisors shall have the power to cause all necessary work to be done

by contract approved by and under the supervision and control of said board of supervisors, said contract not to be effectual until ratified by the board of county commissioners. Contract for the purchase of material shall be awarded to the lowest responsible bidder. Any person or persons to whom a contract may be awarded shall enter into a bond with good and sufficient sureties, to be approved by the board, payable to said district for its use, for 50 per cent of the amount of the contract price, conditioned for the faithful performance of said contract in accordance with its provisions. The work shall be done under the direction and to the satisfaction of the engineer, and to be approved by the board of supervisors. The supervisors shall not be interested, directly or indirectly, in any material furnished or contract awarded by the said board of supervisors; *provided*, by unanimous consent of the board of supervisors of the district it shall not be obligatory for said supervisors to call for bids, but they may employ day labor at current wage rates and purchase material at current prices for carrying out the drainage project.

Contracts
awarded

Day labor,
when

SEC. 4. Section 21 of the above-entitled act is hereby amended so as to read as follows:

Section 21. The board of supervisors or other officers of the district shall have no power to incur any debt or liability whatever, either by issuing bonds or otherwise, in excess of the express provisions of this act. A debt or liability incurred in excess of express provisions shall be and remain absolutely void, except that for the purposes of organization or for the purposes of this act the board may, in payment of work already performed and material purchased to carry on the project and to procure a right of way, before the collection of the first assessment, incur an indebtedness not exceeding in the aggregate a sum equal to fifty per cent of the estimated cost of the work, and may cause the promissory notes of the district to issue therefor, at their face value without discount, bearing interest not exceeding seven per cent per annum, repayable from the proceeds of taxes or bonds.

Incurring of
debts limited

SEC. 5. Section 29 of the above-entitled act is hereby amended so as to read as follows:

Section 29. The board of county commissioners shall have the right to use any part of the right of way of any public highway for the purposes of the work to be done; *provided*, such use will not permanently destroy or materially impair such public highway for public use, and if in the construction of said work any public highway or railroad or any part of the same will be benefited. Upon the report of the board of supervisors, the board of county commissioners may assess to such public road or railroad such sum or sums as will be just and equitable for such public road or railroad to pay in proportion to the benefits received, which

Public
highways
may be used
for purposes
of work;
proviso

Railroads to
pay in
proportion to
benefits
received

shall be determined by estimating the amount of benefits to the entire district, including the benefits to such railroad or public road; and also the benefit to the railroad or the public road, then the fractional figures expressing the ratio between the sums of the benefits for the whole district and the sum found to be the benefit to the railroad or public road shall express the proportional part of the corporate taxes of the district to be paid by such railroad or public road as the case may be. Such proportional classification shall be subject to like review and appeals, as is provided for individual land owners. The amount of such road tax shall be paid out of the road tax of the district in which the public highway or part benefited lies. The banks of any drainage canal may be taken and used by the county as a public highway, but if taken by the county for such purpose the amount to be allowed the drainage district by the county for use of such banks as a public highway shall be settled by arbitration between the county and the district.

Canal banks,
when may be
used for
public
highways

CHAP. 238—*An Act for the relief of L. G. Couture.*

[Approved March 27, 1917]

Relief of
L. G. Couture

WHEREAS, In the year 1889, the late Hon. C. C. Stevenson, then governor of the State of Nevada, duly appointed Dr. F. M. Biber commissioner of the world's exposition at Paris in the republic of France, to attend said exposition then and there held, and as such commissioner to represent the interests of the State of Nevada thereat; and

WHEREAS, Said Dr. F. M. Biber, commissioner as aforesaid, on the 22d day of May, 1889, by an instrument in writing, did duly appoint and commission L. G. Couture his assistant, authorizing him to take charge of the transportation of all articles of merchandise to be exhibited at said exposition and to look after and care for the interests of the State of Nevada at Paris in said republic of France; and

WHEREAS, The said Dr. F. M. Biber did violate and neglect all his duties as such commissioner and the duties and responsibilities of said commission did actually devolve upon said L. G. Couture, in consequence of which said L. G. Couture did lay out and expend, necessarily, in the transportation of articles of merchandise entrusted to this state exhibition at said exposition of goods, wares and merchandise and ores sent from the State of Nevada to said exposition, and for rents, personal expenses and incidentals for the period of five months (the term of said exposition) the sum of fourteen hundred and eighty-six dollars; and

WHEREAS, No sum of money has been paid to said L. G. Couture for his expenditures as aforesaid; now, therefore,

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of one thousand four hundred and eighty-six dollars is hereby appropriated, out of any money in the state treasury not otherwise appropriated, to pay the claim of L. G. Couture for moneys laid out and expended by him in behalf of the State of Nevada at the Paris exposition, and the state controller is hereby directed and required to draw his warrant in favor of L. G. Couture for the sum of one thousand four hundred and eighty-six dollars; and the state treasurer is hereby directed and required to pay said warrant out of the money in the state treasury not otherwise appropriated.

Appropriation. \$1,486

CHAP. 239—*An Act to provide for the protection and preservation of fish and game, providing penalties for the violation thereof, and repealing all acts or parts of acts in conflict herewith.*

[Approved March 27, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

SECTION 1. For the purposes specified in this act, the State of Nevada divided into separate and distinct districts for the protection of fish in waters of said districts.

Protection of fish and game

SEC. 2. District No. 1 shall consist of all the waters of the Truckee river lying west of the point commonly known and designated as the United States government reclamation dam in the vicinity of Derby, and extending to the boundary line of the State of Nevada and the State of California.

State divided into districts

No. 1

SEC. 3. District No. 2 shall consist of the waters of the Truckee river and the waters to which it is tributary lying east of the point commonly known and designated as the United States reclamation dam in the vicinity of Derby.

No. 2

SEC. 4. District No. 3 shall consist of all the waters of Lake Tahoe in the State of Nevada and the tributaries thereto.

No. 3

SEC. 5. District No. 4 shall consist of all the waters of Pyramid lake.

No. 4

SEC. 6. District No. 5 shall consist of all the mountain streams, and all the lakes, rivers, and streams not already designated.

No. 5

SEC. 7. It shall be unlawful for any person, or persons, firm, company, or corporation to take, catch or kill, or attempt to take, catch or kill, any river trout, lake trout, or brook trout, white-fish, or land-locked salmon, catfish, or large-mouthed or small-mouthed black bass in or from any of the waters of the Truckee river district No. 1 between the first day of October of each year, and the fifteenth day of April of the following year, both dates being included.

Closed season in district No. 1

SEC. 8. It shall be unlawful for any person or persons, firm, company or corporation to take, catch, kill, or attempt to take, catch, or kill any river trout, lake trout, or brook trout, white-fish, land-locked salmon, royal chinook salmon, large-mouthed or small-mouthed black bass in or from any of the waters of the Truckee river district No. 2 between the sixteenth day of February of each year and the thirty-first day of March of the same year, both dates included.

SEC. 9. It shall be unlawful for any person or persons, firm, company or corporation to take, catch, kill, or to attempt to take, catch or kill, any river trout, or brook trout, white-fish, land-locked salmon, royal chinook salmon, large-mouthed or small-mouthed black bass, or rainbow trout, lock-laven, or any other trout in or from the waters described and designated in district No. 3 between the dates of the thirty-first day of October and the thirty-first day of May of the following year, both dates included.

SEC. 10. It shall be unlawful for any person or persons, firm, company or corporation to take, catch, kill, or attempt to take, catch or kill, any river trout, lake trout or brook trout, white-fish, land-locked salmon, royal chinook salmon, large-mouthed or small-mouthed black bass in or from any of the waters of Pyramid lake, known as all the waters of district No. 4, between the dates of the sixteenth day of February and the thirtieth day of April of the same year, both dates included.

SEC. 11. It shall be unlawful for any person or persons, firm, company or corporation to take, catch, kill, or attempt to take, catch or kill any river trout, lake trout, or brook trout, white-fish, land-locked salmon, royal chinook salmon, large-mouthed or small-mouthed black bass, in or from the waters of district No. 5 between the dates of the first day of October of each year and the thirtieth day of April of the following year, both dates included.

SEC. 12. Every person who places or allows to pass, or who places where it can pass or fall into or upon any of the waters of this state at any time, any lime, gas, tar, cocculus indicus, slag, acids, or other chemical, sawdust, shavings, slabs, edgings, mill, or factory refuse, or any substance deleterious to fish, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not less than two hundred and fifty nor more than five hundred dollars, or by imprisonment in the county jail in the county in which the conviction shall be had, for not less than one hundred and twenty-five days nor more than two hundred and fifty days; *provided*, that the provisions of this section shall not apply to mills or works for the reduction of ores, nor against the owners or operators of such mills or works so far as concerns the owners or operators of such mills or works.

SEC. 13. All persons, firms, companies, associations, or

corporations, who have erected, or who may hereafter erect, any dams, water weirs, or other obstructions to the free passage of fish in the rivers, streams, lakes, or other waters of the State of Nevada, shall construct and keep in repair fish-ways or fish-ladders at all such dams, water weirs, or other obstructions, so that at all seasons of the year, fish may ascend above such dams, water weirs, or other obstructions, to deposit their spawn.

Fish-ways
and ladders
to be
maintained

SEC. 14. Any person or persons who shall at any time, wilfully or knowingly destroy, injure, or obstruct any fish-way or fish-ladder, or any person or persons who shall at any time take or catch any fish in any manner within one hundred feet of any dam containing a fish-way or fish-ladder, which is required by law, shall be deemed guilty of a misdemeanor.

Destruction
of same
prohibited

SEC. 15. Any person, or community of persons, company, or corporation owning in whole or in part any canal, ditch, or any artificial watercourse, taking or receiving its waters from any river, creek, or lake, in which fish have been placed, or may exist, shall within 180 days after the approval of this act, place or cause to be placed, and shall maintain at the intake or inlet, of such canal, ditch, or watercourse, a reasonable grating, screen, or other device either stationary or operated mechanically, of such construction, fineness, strength, and quality, as shall prevent any fish from entering such canal, ditch, or watercourse.

Screens, etc.,
to be
maintained
in certain
waterways

SEC. 16. It shall be unlawful for any person or persons, company, association, or corporation to at any time, transport or offer for transportation to any place outside of this state any lake, river, or brook trout or land-locked salmon, white-fish, black bass, or any other fish caught within the streams or lakes or rivers of this state.

Unlawful to
ship fish out
of state

SEC. 17. It shall be unlawful for any person or persons, firm, company or corporation in the State of Nevada to buy, sell, or offer or expose for sale or to have in his, her, their or its possession, any river trout, lake trout, or brook trout, salmon, white-fish, or large-mouthed or small-mouthed black bass taken or caught from any waters of this state within the closed season specified in this act.

Unlawful to
sell fish
during closed
season

SEC. 18. It shall be unlawful for any person or persons, firm, company or corporation to kill, or to retain in his, her, their, or its possession any lake trout, river trout, land-locked salmon, or royal chinook salmon, taken from the waters of this state less than seven inches in length; or any large-mouthed or small-mouthed black bass, Sacramento perch less than eight inches in length, or any red-spotted eastern brook trout less than six inches in length, saving and excepting fish produced in state or private fish hatcheries and then only in the manner and under the conditions in such cases made and provided by law.

Unlawful to
take fish
under certain
length

Exception

SEC. 19. It shall be unlawful for any person or persons,

Carriers prohibited from shipping more than 10 pounds of certain fish for one person in any one day railroad, railway company or corporation, express company, stage line, transportation company, or any common carrier in the State of Nevada to accept or to receive for shipment or for transportation from any one person or in the name of any one firm, company, or association, in any one calendar day, more than ten pounds of trout, land-locked salmon, or royal chinook salmon, or of large-mouthed or small-mouthed black bass, taken or caught in or from any of the waters of the State of Nevada; *provided*, that nothing in this section shall be so construed as to prevent the shipment, or receipt, or acceptance, of ten trout on one calendar day from any single consignor, and it shall be unlawful for any person or persons, firm, company, association or corporation, transportation company, or common carrier to offer or present or to receive or accept for shipment, carriage or transportation any box, bundle, package, basket, or other container whatsoever in which are enclosed any of the fishes herein specified, unless the box, bundle, basket, or other container aforesaid shall be so wrapped, tied, or constructed that it shall be easily opened for inspection or examination, and unless it shall bear a conspicuous label, easily read, which shall state the contents thereof, together with the name and address of the consignor and consignee; and false statement on the aforesaid label either as to the contents enclosed or as to the true name or address of the consignor thereof or of the consignee shall be construed as a violation of this act.

Ten trout may betaken

Packages must be easy o inspection

Shipment of spawn prohibited; exception

Catch limited to 10 pounds

Fishing prohibited within 100 feet of dam

SEC. 20. It shall be unlawful for any person or persons, railroad, railroad company, or corporation, express company, stage line, transportation company or any common carrier in the State of Nevada to accept or offer for transportation out of the state, any spawn taken within the state, unless with the expressed consent of the Nevada fish and game commission.

SEC. 21. It shall be unlawful for any person or persons, firm, company, or corporation to take, catch, or kill from any of the waters of the State of Nevada or to have in his, her, their, or its possession on any one calendar day more than ten pounds of trout, or of land-locked salmon or royal chinook salmon, or large-mouthed or small-mouthed black bass, or Sacramento perch, or white-fish caught in the waters of this state; *provided*, that nothing in this act shall be so interpreted as to prevent or to prohibit the taking of the trout or salmon, or other fish specified in this act.

SEC. 22. It shall be unlawful for any person or persons, firm, company, or association in the State of Nevada at any time to take, catch, or kill any lake trout, river trout, brook trout, land-locked salmon, royal chinook salmon, large-mouthed or small-mouthed black bass, Sacramento perch, or any other species of fish whatever, within a distance of one hundred feet above or below any dam in this state containing a fish-way or fish-ladder.

SEC. 23. It shall be unlawful for any person, or persons, firm, company or corporation in the State of Nevada to take, catch, or kill or to attempt to take, catch or kill any lake trout, river trout, brook trout, land-locked salmon, royal chinook salmon, white-fish, large-mouthed or small-mouthed black bass, Sacramento perch, or any other fish of any species whatever, at any time or season whatever within a distance of one mile below any dam of the United States reclamation service containing a fish-way or fish-ladder, and lying within the State of Nevada.

Fishing prohibited within one mile below any U. S. dam

SEC. 24. It shall be unlawful for any person, or persons, firm, company or corporation in the State of Nevada to take, catch or kill or attempt to take, catch or kill any lake trout, river trout, or brook trout, land-locked salmon, royal chinook salmon, large-mouthed or small-mouthed black bass, Sacramento perch, or any other fish of any species whatever from any of the waters of the State of Nevada, on any calendar day after two hours after sunset, and on any calendar day before one hour before sunrise.

Night fishing illegal

SEC. 25. The fish and game commissioners of the State of Nevada, the members of the Nevada state police, and every fish or game warden throughout the state, and every sheriff and constable in his respective county is and are hereby authorized and required to enforce this act and to seize any game or fish taken or held in possession in violation of this act, and he or they shall have full power and authority and it shall be the duty of every such officer with or without a warrant, to open, enter or examine all camps, wagons, cars, automobiles, stages, tents, packs, warehouses, stores, out-houses, stables, barns, and other places, boxes, barrels, baskets and packages where he has reason to believe any fish taken or held in violation of any of the provisions of this act is or are to be found, and to seize the same; *provided*, that a dwelling-house actually occupied can be entered for examination only in pursuance of a warrant.

Officers authorized to seize fish taken illegally

SEC. 26. In case Indians or any other persons in the State of Nevada shall engage in the killing of trout or other fishes in violation of any of the provisions of this act, shall be in such numbers as to be beyond the reasonable power of any fish or game warden or the state fish and game commission to control, or in case of forcible resistance to the enforcement thereof, it shall be the duty of the sheriff or sheriffs of the county or counties where such violation exists, upon the demand of such commissioners or any warden to aid him in the enforcement of this act, and to call to his assistance at once a sufficient number of persons to enforce the same promptly and effectually; or if by him deemed necessary, said commissioners or said warden may call such assistance without the intervention of the sheriff. The failure without good cause of any person or persons to respond and to

Officers may deputize any person in case of need

render such assistance shall be deemed a violation of this act.

Various
penalties
named

Possession is
prima facie
evidence

SEC. 27. Any person or persons, firm, company or corporation, association, or common carrier in this state, who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor. It shall be no defense in a prosecution for violation of any of the provisions of this act that the trout or other fish in question were taken or killed outside the State of Nevada. Possession shall be *prima facie* evidence that the fish were taken from within the state. Nor shall it be any defense in any prosecution for violation of any of the provisions of this act that the trout or fish were taken or killed by one other than he in whose possession said trout or other fish were found. The act of passing a line into or on any of the waters of the State of Nevada, as though in the act of fishing, shall be in itself sufficient evidence of any attempt to take or catch fish within the meaning of this act. The presence in or on the body in flank, back, or belly of any of the fishes herein specified of deep incised wounds or cuts such as are made by spears, grab-hooks, trout-hooks, or snag-hooks, shall be construed as in itself sufficient evidence that the said fish were taken in violation of the provisions of this act.

Not to apply
to private
ponds, etc.

SEC. 28. Nothing in this act shall be construed as to prohibit the taking of trout or other fish, by the rightful owners thereof or by their agents in any manner, at any season whatever, from the waters of private ponds by them constructed or maintained for the purpose of raising trout or other fishes; nor to prohibit the sale of trout or other fishes or of their fry or ova from private hatcheries lying wholly or in part within the State of Nevada.

Not to
prohibit
taking for
scientific
purposes

SEC. 29. Nothing in this act shall so be construed as to hinder or to prevent or prohibit the taking of trout or of other fishes or of their fry, eggs or ova, at any time, in any manner or by any means or in any suitable place or location by the Nevada fish and game commission or by their agents or by any one whom they may authorize, for the purposes of breeding or propagation, or of scientific study or investigation.

Fishing to be
with hook
and line only

SEC. 30. It shall be unlawful for any person or persons, firm, company or corporation to take, catch or kill, or to attempt to take, catch or kill, in or from any stream, lake or river, or any waters of the State of Nevada, any trout, salmon or white-fish, bass, perch, catfish or any other fish of any species whatever with any seine, net, spear, set-line, set-hooks, grab-hooks, trot-line, or snag-line, or in any manner known as snagging, or with any weir-fence, trap, giant powder or any other explosive, or explosive compound, or with or by means of any bait constituted or prepared in whole or in part of or from the spawn, eggs, or ova of trout, salmon or of any other species of fish whatever except with

Explosives
prohibited

hook and line attached to a rod held in the hands and in the manner known as angling; that is, with baited hook, fly-hook, spoon-hook, or other angler's lure.

SEC. 31. Any person violating any of the provisions of this act, or any section thereof, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not less than fifty dollars nor more than two hundred and fifty dollars; or by imprisonment in the county jail for a term of not less than twenty-five days nor more than one hundred and twenty-five days, or by both such fine and imprisonment. General penalties

SEC. 32. The board of county commissioners of the several counties of this state, each within its own county, are hereby authorized to extend by special ordinance the closed season for fishing in any streams or parts of streams, lakes, or waters within their county which are now or hereafter shall have been stocked with food fish by the state or its fish commissioners, and authorized jointly to state a period as may, in their opinion, be required for the protection of the fish in said streams and waters to the end that the supply of fish for food may be permanently increased; *provided, however*, that before any said special ordinance so passed by any board of county commissioners shall be effective, it shall have been published by order of the board of county commissioners for at least once each week for four consecutive weeks in a newspaper published and of general circulation in the county where there are any streams, parts of streams, lakes, or waters in or from which the open season for taking or catching fish is to be restricted, and shall state the period over which the closed season is to extend, giving the names of the streams, parts of streams, lakes or waters, and copies of said ordinance shall have been posted in at least four conspicuous places along any streams, parts of streams, lakes, or waters in or from which the open season for taking or catching fish is to be restricted. County commissioners may extend closed season by special ordinance

Must be published in newspaper

SEC. 33. Any person who shall violate the provisions of said order of the board of county commissioners shall be guilty of a misdemeanor, and shall be fined not less than fifty (\$50) dollars, nor more than two hundred and fifty (\$250) dollars, or imprisoned in the county jail not less than twenty-five (25) days, nor more than one hundred and twenty-five (125) days, or by both such fine and imprisonment, in the discretion of the court. Penalties for violation of county ordinance

SEC. 34. It shall be unlawful for any person or persons, firm, company, corporation, or association, to kill, catch, destroy, wound, snare, trap, injure, or pursue with attempt to catch, capture, injure, or destroy any bluebird, thrush, mocking-bird, oriole, humming-bird, or swan, robin, meadow-lark, or any insectivorous, plume, or song bird within this state. Certain birds protected at all times

SEC. 35. It shall be unlawful for any person or persons, firm, company, corporation, or association to kill, destroy, Pheasants until 1920

wound, trap, net, weir, injure, or pursue with the attempt to kill, capture, injure, or destroy any pheasant within this state before the first day of September, 1920.

Grouse and
mountain
quail until
1922

SEC. 36. It shall be unlawful for any person or persons, firm, company, corporation, or association, within this state, to kill, catch, trap, net, pound, weir, wound, or pursue, with attempt to catch, capture, injure, or destroy any grouse or mountain quail before the first day of September, 1922.

Closed
season for
sage-hens
and
sage-cocks

SEC. 36½. It shall be unlawful for any person or persons, firm, company, corporation, or association, within this state, to kill, catch, trap, net, pound, weir, wound, or pursue with intent to catch, capture, injure or destroy any sage-hen or sage-cock before the fifteenth day of July or after the first day of September of each and every year.

Closed
season for
game birds

SEC. 37. It shall be unlawful for any person or persons, firm, company, corporation, or association, at any time from January 16 and before October 1 of each and every year, to kill, catch, net, cage, pound, weir, trap, or pursue with attempt to catch, capture, injure or destroy any wild duck, sandhill crane, plover, curlew, snipe, woodcock, geese, brants, prairie chicken within this state; *provided, however,* that the open season on the migratory game birds named in this section shall always automatically change so as to conform to the "Regulations for the Protection of Migratory Birds," as they shall hereafter be prescribed by the U. S. Department of Agriculture, Bureau of Biological Survey.

To conform
to U. S.
regulations

SEC. 38. The board of county commissioners of the several counties, with the approval of the state fish and game warden, may declare the open or closed season on valley quail and doves, and may regulate the number of same to be killed in any one day.

County com-
missioners
may regulate
season for
doves and
valley quail

Nests and
eggs
protected

SEC. 39. It shall be unlawful at any and all times of the year for any person or persons, firm, company, corporation, or association, to destroy, injure, or remove the nest or eggs of any of the birds mentioned in this act.

Shotgun
larger than
No. 10 gage
prohibited

SEC. 40. It shall be unlawful in this state for any person or persons to use at any time a shotgun of a larger gage than that commonly known and designated as a number ten gage.

Mountain
sheep, elk
and antelope
protected
until 1930

SEC. 41. It shall be unlawful at all times to kill, injure, or maim any mountain sheep or goats, elk, or antelope until January 1, 1930.

Deer: may
take only one
per open
season

SEC. 42. It shall be unlawful for any person or persons, firm, company, corporation or associations within the state to kill, catch, trap, net, pound, weir, wound or pursue with the attempt to catch, capture, injure or destroy any deer, between the fifteenth day of November and the fifteenth day of October of each succeeding year; and during the time of the open season it shall be unlawful for any person or persons, firm, company, corporation or association within this state to kill, catch, trap, wound, or pursue with an intent

to catch, trap, injure or destroy any number of deer exceeding one deer for the open season of any one year.

SEC. 43. It shall be unlawful to kill, catch, trap, wound or pursue with attempt to catch, injure, kill or destroy any fawn at any time. Fawn always protected

SEC. 44. It shall be unlawful for any person or persons, firm, company or association to have in their possession any deer or antelope during any time of the year other than during that time herein designated as the open season. Unlawful to have in possession

SEC. 45. It is hereby made unlawful for any person at any time to kill, catch, trap, net, impound, weir, wound, or pursue with intent to catch, capture, injure, or destroy any wild ducks or wild geese or mountain quail or valley quail during the hours included between sunset and sunrise, the same to be considered according to government time reports. Certain hunting prohibited at night

SEC. 46. It shall be unlawful for any person or persons, firm, company, corporation, or association, at any time of the year to hunt, chase, pursue, catch, or kill, any deer, antelope, caribou, elk, mountain sheep, or mountain goat, with or by the use or aid of any hound or hounds. Use of hounds prohibited

SEC. 47. It is hereby made unlawful for any person to sell, or offer for sale, or to attempt to sell, or barter any wild ducks, wild geese, prairie chicken, mountain quail, sage-hen, grouse, valley quail, plover, or snipe. It shall be unlawful for any person or persons to purchase such game for the purpose of barter or sale, and it shall also be unlawful for any person to kill or have in his possession a greater number than fifteen ducks, ten sage-hen or sage-cock, fifteen snipe in one day; five geese or five brants in any one day. Barter or sale of game unlawful
Takes limited

SEC. 48. Every railroad company, express company, transportation company, or any other common carrier, their officers, agents and servants, and every other person who shall transport, carry, or take out of this state, or who shall receive for the purpose of transporting or carrying from this state any deer, buck, doe, or fawn, or any mountain sheep, or antelope, or any quail, sage chicken, prairie chicken, grouse, wild duck, or goose, or any other bird or animal mentioned in this act, shall be guilty of a misdemeanor. Common carriers forbidden to take game out of state

SEC. 49. Any person or persons, company, corporation, or association, or common carrier violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than \$50 nor more than \$500, or imprisonment in the county jail in the county in which said conviction is had for any term not exceeding six months, or by both such fine and imprisonment. It shall be no defense in the prosecution for the violation of any of the provisions of this act, that the animals or birds were taken or killed outside the State of Nevada; nor shall it be any defense in the prosecution of the violation of any of the provisions of this act Penalties named
Certain excuses no defense

that the animals or birds were taken or killed by one other than he in whose possession said animals or birds were found; for possession shall be *prima facie* evidence that the game was taken within the confines of the state.

County commissioners may extend closed season

Open season never lengthened

Intrastate shipments allowed, when

Beaver protected until 1920

Common carriers prohibited from exporting

Exception

Penalties

Barter or sale of game birds prohibited

SEC. 50. Should it be deemed advisable by a board of county commissioners for any county within this state to lengthen or extend the time of the close season for any specie of game mentioned in this act, the said board of county commissioners, acting for their respective county, may, after first making application for and receiving the written authority of the state fish and game warden by special ordinance extend such close season; *provided, however*, that in no event shall the county commissioners or any organization of men within this state extend the open season or shorten the close season for any specie of game whatsoever. Nothing in this act shall be so construed as to prohibit any person (upon written permit of the governor of the state) from taking or killing any bird or fowl, or collecting the nest and eggs of the same for strictly scientific purposes; nor be so construed as to prohibit any person at any time from trapping any bird or fowl in any county in this state, upon a written permit of the game warden or chairman of the board of county commissioners of such county, for the purpose of shipping such bird or fowl into another county in this state for the purposes of propagation, the number of birds or fowls to be so shipped to be limited by said game warden or chairman.

SEC. 51. It shall be unlawful for any person or persons, firm, company, corporation or association to catch, kill, destroy, trap, net, weir or cage any beaver in this state on or before the first day of January, 1920.

SEC. 52. Every railroad company, express company, transportation company, or other common carrier, their officers, agents and servants, and every other person who shall transport, carry or take out of this state, or who shall receive for the purpose of transportation from the state any deer, buck, doe or fawn, or any mountain sheep, or antelope, wild duck or goose, except for purposes of propagation, shall be guilty of a misdemeanor. Any person found guilty of a violation of any of the provisions of this section shall be fined in a sum of not less than twenty (\$20) dollars nor more than five hundred (\$500) dollars, or be imprisoned in the county jail not less than twenty-five days nor more than one hundred days, or by both such fine and imprisonment.

SEC. 53. Every person who buys, sells or offers to sell or exposes for sale, barter or trade, any wild duck, wild goose, partridge, quail, grouse, pheasant, sage-hen, rail, ibis, plover or any variety of snipe or shore bird, meadow-lark or robin shall be guilty of a misdemeanor.

SEC. 54. Every person who sells or offers for sale or trade or barter any deer meat or antelope meat is guilty of a misdemeanor.

Sale of deer meat prohibited

SEC. 55. Every person violating any of the provisions of this act for which violation a penalty is not otherwise provided in this act shall, upon conviction thereof, be punished by a fine of not less than fifty (\$50) dollars nor more than two hundred and fifty (\$250) dollars, or by imprisonment in the county jail for a term of not less than twenty-five days nor more than one hundred and twenty-five days, or by both such fine and imprisonment.

General penalties for violation of act

SEC. 56. It shall be unlawful for any person or persons, firm, company, corporation or association to kill, destroy, wound, trap, injure, keep in captivity, or in any other manner to catch or capture, or to pursue with such intent the bird known as the American eagle, or to take, injure or destroy the nest or eggs of said before-mentioned bird. Any person or persons, firm, company, corporation or association violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine in any sum not less than twenty-five dollars nor more than two hundred dollars, or imprisonment in the county jail for any term not exceeding six months, or both.

American eagle protected at all times

Penalty

SEC. 57. Every person who shall kill or destroy the eggs of any wild canary, wren, linnet, thrush, robin, bluebird, oriole, humming-bird, meadow-lark, snowbird, or other song, plume or insectivorous bird is guilty of a misdemeanor.

Destruction of eggs a misdemeanor

This section shall not apply to English sparrows, the killing of which is authorized.

English sparrows not protected

SEC. 58. If in connection with any prosecution for violation of any of the provisions of this act, or in any other way any section of this act shall be hereafter adjudged unconstitutional or inoperative, or invalid, and of no force and effect, then the unconstitutionality, invalidity, or inefficiency of said section shall not extend to any other section or sections of this act, which are not so adjudged unconstitutional, inoperative, invalid, or inefficient, nor to the constitutional validity or the force and effect of the entire act.

Each section of act independent and separate

SEC. 59. Every person in the State of Nevada who hunts or kills any of the wild birds or animals, or who takes or catches any of the fishes that are protected by the laws of this state without first procuring a license therefor, as provided in this act, is guilty of a misdemeanor.

Fishing licenses must be procured

SEC. 60. Licenses granting the privilege to hunt, pursue or kill wild birds or animals, or to take or catch fish during the open season as fixed by law shall be issued and delivered, upon application, by the county clerk of any of the counties of this state, or by the state fish and game warden, or the deputy state or county fish and game warden of any of

Licenses, where procured

the counties of the state, which licenses shall have written thereon the words:

Form of
license

Expires December 31, 191....

State of Nevada, County of.....

ANGLER'S LICENSE—HUNTING LICENSE

Name

Age..... Height.....

Eyes, color..... Hair, color.....

Residence

The holder of this license hereby agrees to exhibit any game or fish in my possession to any regularly appointed deputy fish and game commissioner upon demand.

Owner's signature

No..... Date issued..... Not transferable.

SEC. 61. The licenses shall be issued as follows:

Rates for
licenses

First—To any citizen of the United States, who is a *bona fide* resident of the State of Nevada, upon the payment of one (\$1) dollar for a fishing license and one (\$1) dollar for a hunting license.

Second—To any citizen of the United States, not a *bona fide* resident, upon the payment of five (\$5) dollars for a fishing license, or five (\$5) dollars for a hunting license.

No hunting
licenses for
foreigners

Third—To any person not a citizen of the United States, upon the payment of fifteen (\$15) dollars for a fishing license. In no case shall a hunting license be issued to any such person not a citizen of the United States.

\$15 for
market
fishermen

Fourth—A license of fifteen (\$15) dollars shall be charged to any one engaged in market fishing.

Require-
ments for
license

SEC. 62. Every person applying for and procuring a license, as herein provided, shall give to the county clerk his name and resident address, which information shall be by the clerk or board entered in a book kept for that purpose, and provided by said board of county commissioners, together with a statement of the date of issuance, the number of licenses issued to such person and description of such person, by age, height, race, and color of the eyes and hair. The county clerk shall give a duplicate of the above descriptive matter to the state game and fish warden.

Licenses for
one year
only

SEC. 63. All licenses issued as herein provided shall be valid, and shall authorize the person to whom issued to hunt, pursue, and kill game birds and animals and to take or catch fish during the open season fixed therefor by law, on and from the day of paying the license until the date of expiration printed thereon. No license shall be given for a period longer than one year.

Apportion-
ment of
license
money

SEC. 64. All money collected for licenses as provided herein, shall be apportioned as follows: Two-thirds, or sixty-six and two-thirds per cent, of the money collected, shall be paid into the county treasury of the county where the license is collected, to be applied to the credit of the game

and fish preservation fund, which fund is hereby created, and the money of said fund shall be applied to the payment of the expenses incurred in the prosecution of offenders, and for the revenue to pay fish and game wardens and deputies, when necessary to hire deputy fish and game warden, or wardens, and for revenue to pay for the importation and propagation of wild birds; one-third, or thirty-three and one-third per cent, of the money collected, shall be paid into the state treasury to be applied to the credit of the state fish and game warden fund, which fund is hereby created, and the money of said fund shall be applied for the revenue of the salary to be paid to the state fish and game warden and for his necessary expenses.

Apportionment of license money

SEC. 65. Not more than two licenses shall be issued to any one person for the same fiscal year, except upon an affidavit by the applicant that either one issued has been lost or destroyed, and no licenses as herein provided shall be transferable or used by any other person than the one to whom they were issued.

No more than two licenses in any one year; not transferable

SEC. 66. Every person having licenses as provided herein, who while hunting or fishing refuses to exhibit such licenses upon the demand of any officer authorized to enforce the fish and game laws of the state, or any other peace officer of the state, shall be guilty of a misdemeanor, and every person lawfully having said licenses, who transfers or disposes of the same to another person to be used as a hunting or fishing license, shall forfeit the same.

License must be shown to officer

SEC. 67. There is hereby appropriated, out of any moneys in the county treasury of each county of the state not otherwise appropriated, the sum of seventy-five dollars for the purpose of carrying out the provisions of this act, to be used by the board of county commissioners for the printing and binding of suitable books and blanks required herein, and for the purchase of licenses. The auditor of each county of the state is hereby directed to draw his warrant for said amount in favor of said board of county commissioners at such times and in such amounts as may be needed from time to time, and the treasurer of each county of the state is hereby directed to pay the same.

County appropriations ordered

SEC. 68. The provisions of this act shall not apply to any person who, on his own land, during the open season, hunts, pursues or kills any of the wild birds or animals, or takes or catches any of the fish protected by the laws of this state, nor to girls or to boys under fourteen years of age.

Owner may hunt on own land without license; also girls, and boys under 14

SEC. 69. The licenses herein provided for shall be procured from any county of the state and may be used in any county in the State of Nevada. Nonresidents of the state may procure licenses in any county.

Nonresidents may procure license in any county

SEC. 70. All acts and parts of acts in conflict with any of the provisions of this act are hereby repealed.

Repeal

CHAP. 240—*An Act to provide a board of fish and game commissioners, defining their duties and powers; providing for a state fish and game warden and deputies; providing for the use and distribution of fish and game licenses, and other matters relating thereto, and repealing all acts in conflict herewith.*

[Approved March 27, 1917]

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

Governor to
appoint three
fish and
game com-
missioners

SECTION 1. The governor of this state is hereby authorized and empowered to appoint three suitable persons to be styled "Fish and Game Commissioners," whose duty shall be to establish fish hatcheries, in localities suitable to their hatching, upon such of the waters of this state as, in their judgment, shall be most available for the purpose of stocking and supplying the streams and lakes of this state with both foreign and native fish; and for such purpose may take the ova or spawn from fish now inhabiting the waters of the state; and may purchase and import from other states and countries spawn or ova of valuable fish, suitable for food, and may introduce the same, when obtained, into such rivers, streams and lakes as they may deem suited to the habits and successful culture of such fish. They may also employ persons who are skilful and expert in the science of fish-breeding, and may superintend and direct the construction of fish-ways and fish-ladders that may be built in the streams and waters of this state. The commissioners may, in their discretion, distribute the ova or spawn to be procured by them to such person or persons as have proper lakes, ponds or streams for the propagation and breeding of fish, and who will, without expense to the state, take charge of such breeding and propagation.

Commis-
sioners to
establish
hatcheries
and stock
streams of
state

Hold office
for four
years

SEC. 2. Such commissioners shall hold their respective offices for the term of four years, unless some other person shall be appointed to fill the vacancy occasioned by death, resignation or inability to attend to the duties required. The commissioners authorized to be appointed by this act shall receive no compensation for their services. The necessary expenses incidental to procuring and distributing the ova or spawn or fish, in the employment of fish breeders, and in carrying out the provisions of this act, shall be paid from any moneys that may be appropriated by the legislature, upon accounts or vouchers to be approved by the state board of examiners. The commissioners shall report biennially to the governor an account of their transactions under this act, and make an exhibit of their expenditure of money under its provisions.

Biennial
report

State fish
and game
warden

SEC. 3. The governor shall appoint a state fish and game warden, whose duties shall be to carry out and enforce all the fish and game laws and the prosecution of any violation of this

act. The state fish and game warden may appoint a deputy or deputies of the different counties with the consent or recommendation of the county commissioners. The state fish and game warden can, at any time, ask for the resignation of the deputy or deputies so appointed if, in his judgment, the duties of the office in that particular county are not being properly attended to, and may, with recommendation of the county commissioners, appoint another deputy to fill the office of the one just removed. The salary of the said deputy fish and game warden shall be not more than one hundred dollars nor less than twenty dollars per month. Said warden shall be allowed a sum not to exceed twenty-five dollars per month for expenses incurred by him in the performance of his duties. The said county fish and game warden shall report quarterly to the state fish and game warden, giving a detailed statement of all arrests made, convictions had, fines collected, and generally in regard to the management of his office. Such reports shall be kept by the state fish and game warden, who biennially shall report the same to the state fish and game commission and the governor for statistical purposes.

County
deputies

Salaries and
expenses

To report
quarterly to
state warden

SEC. 4. The board of capitol commissioners shall provide a suitable office in the capitol building for the state fish and game warden, where he shall keep all papers and records of all transactions, and books pertaining to his office as state fish and game warden.

Office of
state warden
at capitol

SEC. 5. It shall be the duty of the state fish and game warden to see that the county or deputy fish and game wardens shall enforce and cause the prosecution of violation of the fish and game act, that they shall prevent any violations of the license act, and that they shall carry out their several duties to the best interest for the protection of the fish and game in their respective counties. It shall also be his duty to assist the county or deputy fish and game warden in the stocking of the various streams, lakes and rivers of the state with fish and that they be handled in such a way as to conserve the greatest number of them.

Duties of
state warden

SEC. 6. The state fish and game warden shall receive a salary of eighteen hundred dollars per year for his services, payable in regular monthly payments. He shall also receive traveling expenses and other necessary expenses while traveling about the state, but in no case shall such expenses so allowed exceed the amount of twelve hundred dollars in any one year.

Salary and
expenses of
state warden

SEC. 7. The state fish and game warden shall hold office for a period of four years; *provided, however*, that the governor can remove him at any time for good and substantial reasons.

Term of
office:
proviso

SEC. 8. All money or moneys paid as salary and expenses for the conducting of the office of state fish and game warden shall be paid from any and all moneys that are obtained

Salary and
expenses
paid by
money from
licenses

- from the sale of fish and game licenses throughout the several counties, and shall be made payable to the state fish and game warden upon accounts or vouchers to be approved by the state board of examiners. Any money or moneys remaining in the state fish and game fund after the paying of all salaries and all expenses incident to the maintaining of the office of state fish and game warden may be used for the buying of additional fish or game, with the approval of the United States biological survey, the same to be distributed to the deputy game and fish wardens in the various counties.
- Residue for buying additional fish and game**
- State warden may accept railroad passes**
- Certain act repealed**
- Proviso**
- SEC. 9. The state fish and game warden may accept transportation on any of the railroads operating in this state.
- SEC. 10. That certain act entitled "An act to provide for the appointment of a board of fish commissioners and to define their duties," approved March 16, 1905, is hereby repealed; *provided, however*, that all just debts now incurred by the board of "Fish Commissioners" created under said act shall be audited, allowed and approved as are other claims against the state and paid out of any fund which may be provided by the legislature to carry out the provisions of this act.
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RESOLUTIONS AND MEMORIALS

PASSED AT THE

Twenty-eighth Session, Nevada Legislature, 1917



RESOLUTIONS AND MEMORIALS

No. 1—*Assembly Joint and Concurrent Resolution, relative to an investigation of the University of Nevada.*

WHEREAS, A radical difference of opinion exists regarding the propriety, wisdom and justice of certain acts of officials connected with the management of the University of Nevada, said officials including the president, members of the faculty, and the present and retiring board of regents; and

Concerning
Investigation
of University
of Nevada

WHEREAS, Various unofficial charges have been made of irregularity, mismanagement and injustice on the part of said officials of the university; and

WHEREAS, It is deemed for the best interest of the state that the members of the legislature and the public shall have full knowledge of all facts relative to the affairs, management and conduct of our state university; now, therefore, be it

Resolved, That a full and complete investigation of the university, its management and the acts and administration of the president, the faculty and the present and retiring members of the board of regents by the twenty-eighth session of the legislature be hereby determined upon, and that such investigation be conducted by a joint and bipartisan committee of said legislature consisting of three members from each house to be appointed by the speaker of the assembly and the president of the senate. Such joint committee, acting for and on the authority of the legislature of the State of Nevada, is hereby authorized to issue subpoenas for, call for, and require, command and compel the attendance of witnesses to testify before said committee; to call for and compel the production of papers, records, files, correspondence, and books of account pertaining to or having to do with the Nevada state university or the business, management or conduct of affairs thereof. Said joint committee is further authorized and is hereby empowered to examine witnesses, and each or any of the members of said committee are hereby empowered to administer oaths and to swear and examine any witness or witnesses called before said committee. Said joint committee, acting for and on the authority of the legislature of the State of Nevada, is hereby empowered to punish for contempt any witness who, being called or subpoenaed before said committee, refuses to comply with the requirements of said call or subpoena or refuses to testify as to matters in any way pertaining to the Nevada state university, or who intentionally fails or refuses to disclose matters within his or her knowledge or refuses to produce any book or books, record or records, correspondence, files, or documents within

Joint
bipartisan
committee:
3 senators,
3 assembly-
men

Powers of
committee

his or her control or possession. For the purpose of facilitating the work of this joint committee, said committee is hereby authorized and empowered to order and compel the production before it of any books, papers, documents, contracts, minutes, correspondence, or memoranda, which it may deem necessary, and said committee may take possession of the same for the purpose of the investigation. Such joint committee, when appointed, is hereby authorized and empowered to employ a competent stenographer, having the qualifications of a court reporter, and also to employ a competent certified accountant, and to fix the compensation for such employments. Said joint committee, when appointed, shall immediately organize and proceed with the duties hereby assigned, and shall report to this legislature not later than February 20, 1917.

No. 2—*Assembly Joint and Concurrent Resolution, relative to adjournment to accept an invitation from the University of Nevada.*

Adjourn-
ment for
university
exercises

Resolved by the Assembly, the Senate concurring, That when the assembly and senate do adjourn on the twenty-fifth day of January, nineteen hundred and seventeen, that said adjournment shall be for the period of four days and until the twenty-ninth day of January, nineteen hundred and seventeen, at the hour of eleven o'clock a. m., in order to permit both houses of the legislature to accept the invitation of the University of Nevada to attend the special exercises and program arranged for Friday, the twenty-sixth, and Saturday, the twenty-seventh day of January, nineteen hundred and seventeen, and the assembly and senate by the passage of this resolution each hereby gives its consent to the adjournment of the other.

No. 3—*Senate Joint and Concurrent Resolution, relative to amending Assembly Joint and Concurrent Resolution No. 1, of the twenty-eighth session.*

Supple-
mental to
resolution
concerning
investigation
of University
of Nevada

Resolved by the Senate, the Assembly concurring, That assembly joint and concurrent resolution No. 1 of the twenty-eighth session, relative to an investigation of the University of Nevada, be, and is hereby amended by the addition at the end of said resolution of the following:

Such joint committee is hereby authorized and empowered to incur any and all other necessary expenses in connection with the carrying out of the work of such joint committee as outlined in this resolution, and the state controller is hereby authorized and directed, upon receipt of vouchers therefor bearing the certificate of the chairman of such joint committee that the same have been approved and allowed by

such joint committee, to issue his warrants in payment thereof to the person or persons entitled thereto, and the state treasurer is hereby authorized and directed to pay the same out of any moneys in the legislative fund now or hereafter to be created.

No. 4—*Senate and Assembly Joint Resolution, approving the policies of the President of the United States in the matter of maintaining the rights of American citizens in travel and commerce.*

[Approved February 7, 1917]

WHEREAS, The President of the United States has decided that it is necessary to suspend diplomatic relations with a great nation, toward whom our friendship has been shown by our long-continued patience, and to advise and warn all nations that the rights of our citizens to travel and trade upon the high seas must be respected and will be maintained by the American people; and

Approving
policies of
President
Wilson

WHEREAS, It is the solemn duty of every American, regardless of party faith or family origin, to sustain and uphold our national government at all times, and particularly when our national honor and principles of humanity and justice to which our government is dedicated have been assailed; now, therefore, be it

Resolved, That the people of the State of Nevada, represented by the senate and assembly in joint session, do approve the policies of the President of the United States, as stated in his address to the Congress of the United States on February third, nineteen hundred seventeen; and with the hope, as expressed by him, that our nation "will not be challenged to defend our rights to liberty, justice, and unmolested life"; and do pledge the State of Nevada to the limit of its resources toward the maintenance of the honor of our nation and the support of our President and the national government; and be it further

Resolved, That a copy of this resolution, signed by the governor of the State of Nevada, the president of the senate and the speaker of the assembly, be transmitted by telegraph to the President of the United States, and that an engrossed copy hereof, certified under the great seal of the State of Nevada, be transmitted by mail to the President of the United States.

No. 5—*Senate Resolution, relative to marriage and divorce; authorizing the appointment of a committee to investigate and report on the subject, and committing Nevada to the leadership in a movement for better safeguarding the integrity of the American home.*

WHEREAS, The home is the unit and basis of civilized society upon which the welfare of this nation depends; and

Relative to
marriage
and divorce

Relative to
marriage
and divorce

WHEREAS, The people of Nevada deem the custom of divorce, as now administered by the diverse and conflicting laws of the several states, to be a vicious menace to the integrity of the American home; and

WHEREAS, The divorce law of Nevada was passed in 1861, before the state was admitted into the Union, and has continued unchanged for more than fifty years; and

WHEREAS, The standard of residence then was deemed just and was followed later in the constitutional requirement for electors; and the grounds for divorce then were so fixed because they were deemed just; and

WHEREAS, No other motive or outside demand existed then or has been considered since and the law has been tested by time and use and remains adequate to the needs of our people; and

WHEREAS, The American bar association recently approved grounds for divorce such as have been in force in Nevada since 1861; and

WHEREAS, The evident and growing inadequacy of the laws of other states to serve their peoples has imposed increasing abuses upon our laws; and

WHEREAS, No internal fault of the law of Nevada has developed in fifty years and it is believed that the abuses are due to external causes; and

WHEREAS, The people of Nevada have been maligned and a false reputation concerning them has been created by those who would make Nevada the scapegoat of a national evil and problem; and

WHEREAS, The evils of divorce legislation can be abated only by accommodating the marriage and divorce laws governing all the people to a single standard consistent with the national conscience, thereby preventing each state from avoiding responsibility to and for its own people; therefore, be it

Resolved, That in order to promote the national welfare; to make known the true character of the people of Nevada and to engage actively in the practical work facing all the American people, the State of Nevada do assume leadership in a movement to make uniform the marriage and divorce laws of the American states and to make them responsive to the ideals of the American people as a whole; be it further

Committee to
investigate
and report

Resolved, That, to this end, a committee be appointed to serve, without pay from or charge against, the State of Nevada, consisting of not less than three nor more than five persons, appointed forthwith by the governor of Nevada, and that such committee be vested and charged with the following powers and duties respecting the work for which it is created:

Various
duties of
committee

To investigate the operation of the existing statutes of Nevada and other states of the Union respecting marriage, divorce and kindred matters;

To visit the President of the United States, request his counsel and cooperation, and to solicit the counsel and cooperation of all appropriate departments and officers of the federal government, including the representatives of Nevada in the Congress of the United States;

Various
duties of
committee

To correspond, consult and cooperate with official bureaus and committees appointed in other states for like purposes; conduct meetings in other states, inviting the attendance of public committees or officials and private citizens thereat;

To cooperate with any society or association, not for profit, having similar aims; and

To take and preserve a record of its doings and the information and testimony secured and to present a full report or abstract thereof, with conclusions, discussion and recommendations and including a report and recommendations on existing, proposed or desirable legislation respecting the object of its labors; and be it further

Resolved, That such committee shall present its report to this session, or, if not practicable, to the twenty-ninth session of the legislature of Nevada.

No. 6—*Assembly Joint and Concurrent Resolution.*

[Approved March 10, 1917]

WHEREAS, The federal government did maintain at Carson City, Nevada, a mint at which was coined many millions of dollars of the gold and silver product of Nevada and other mining states of the west, and the building and property so long used for that purpose is still owned by the United States government and could be inexpensively restored to that use; and

Asking
government
to reopen
U. S. mint at
Carson City

WHEREAS, The people of Nevada would be proud to again see the gold and silver of their mines coined into United States money within the state that produced it, and believe that such condition would result in material benefit to the nation by attracting greater attention to our mineral resources, thereby causing their further discovery and development; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That we respectfully petition the government of the United States for the restoration of the mint at Carson City, Nevada, and the resumption of coinage thereat. We urge upon the proper officials the consideration of Nevada's services to the nation in its bountiful yield of money metal when it was most urgently needed to preserve the national credit; and we request their attention to our present great and constantly increasing mineral production which deserves favorable notice and friendly action by national authority; be it further

Resolved, That copies of this resolution be transmitted by the secretary of state of Nevada to the President of the United States, the secretary of the treasury, the director of the United States mint, and to the senators and representative from Nevada in Congress.

No. 7—*Assembly Concurrent Resolution.*

Committee
to revise
joint rules of
senate and
assembly

WHEREAS, Both houses of the legislature of the State of Nevada have, for many sessions, been enacting laws through the medium of "Joint and Concurrent" resolutions; and

WHEREAS, No such form of resolutions exists in the parliamentary practice of either the senate or the house of representatives of the United States, nor does it appear in the parliamentary practice of the legislatures of other states, and seems to be peculiar to the legislature of the State of Nevada; and

WHEREAS, Other matters, such as the rule necessary for an adjournment for more than three days in accordance with the provisions of the constitution, could be definitely stated in the rules of the houses of the Nevada legislature; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That the speaker of the assembly appoint a committee of three members to meet with the committee of rules and joint rules of the senate, or with a committee to be appointed by the president of the senate, for the purpose of making recommendations regarding the revision of the joint rules of the senate and assembly.

No. 8—*Senate Joint and Concurrent Resolution.*

[Approved March 14, 1917]

Sessions of
federal court
at various
cities of
Nevada

Resolved by the Senate, the Assembly concurring, That the United States senators, Francis G. Newlands and Key Pittman, and E. E. Roberts, congressman from Nevada, be requested to at once have a law passed by Congress authorizing the federal court to hold sessions in Reno, Winnemucca, Elko, Ely, Goldfield, or Tonopah, in order to accommodate litigants and save them vast amount of expense in traveling from eastern Nevada to attend court in Carson City.

No. 9—*Assembly Joint and Concurrent Resolution, memorializing Congress to grant a pension to Lottie K. Boyd and Eliza and Klem Boyd, widow and children of the late Captain Charles T. Boyd.*

[Approved March 14, 1917]

To the Honorable the Senate and House of Representatives of the United States in Congress assembled:

The legislature of the State of Nevada respectfully represents that

WHEREAS, The late Captain Charles T. Boyd, of the Tenth United States Cavalry, was killed in the service of his country at Carrizal, Mexico; and

Asking
Congress to
grant
pension to
family of
Captain
Chas. T. Boyd

WHEREAS, His widow, Lottie K. Boyd, and his two minor children, Eliza and Klem, were dependent upon him for support and were by his death left without support; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That we urge upon Congress the passage of Senate bill 6614 granting a pension to said widow and children.

Resolved, That his excellency the governor be requested to transmit a copy of this resolution to each of our senators and our representative in Congress.

No. 10—*Senate Joint and Concurrent Resolution, relative to restoration to entry of public lands temporarily withdrawn.*

WHEREAS, The secretary of the interior of the United States has from time to time withdrawn from entry under the public land laws large areas of the public lands in the State of Nevada for the purposes of the Truckee-Carson and other possible federal irrigation projects; and

Relative to
restoration
to entry of
public lands
temporarily
withdrawn

WHEREAS, There now remain withdrawn from entry under said public land laws an area considerably in excess of 100,000 acres in the State of Nevada which are not embraced within the Truckee-Carson or any other contemplated federal irrigation project and which are not required for the construction of any federal irrigation works, either planned or in contemplation; and

WHEREAS, It is desirable and in the interest of the State of Nevada and of the public that such lands be opened to entry to the end that such of them as are suitable may be acquired by citizens of the United States for the making of homes and putting to beneficial uses; and

WHEREAS, Such withdrawals, with no immediate nor contemplated use, retard the development and the reclamation by individuals of thousands of acres of land; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That the honorable secretary of the interior of the United States is

Relative to
restoration
to entry of
public lands
temporarily
withdrawn

hereby respectfully requested to restore to entry under the public land laws all such withdrawn lands in the State of Nevada as are not embraced within, or required for the construction of works for, any approved or contemplated federal irrigation project; and be it further

Resolved, That his excellency, the governor, be requested to transmit to the secretary of the interior, and to each of the senators and representative in Congress from the State of Nevada, a copy of the foregoing preamble and resolution.

No. 11—*Senate Joint and Concurrent Resolution, relative to the amendment of section four of the federal act to regulate commerce, and petitioning the President of the United States and our representatives in Congress to take such action as will provide in said amendment for an absolute long-and-short-haul provision eliminating the grossly unjust and discriminatory back-haul charges which are assessed against the people of Nevada on both east- and west-bound transcontinental freight traffic.*

Regarding
unfair
back-haul
charges by
railroads on
Nevada
freight

WHEREAS, The people of the State of Nevada have suffered, and are suffering, under a most unjust and oppressive discrimination arising from the imposition of a system of infamous differentials or back-haul charges in freight rates on both east- and west-bound transcontinental freight traffic, assessed against Nevada points through the medium of the Transcontinental Freight Bureau of Chicago, Illinois, the membership of which is made up of all interstate railways which participate in said transcontinental business; and

WHEREAS, Said differentials, or back-haul charges, when defined, amount to the charging of a higher rate upon freight traffic between all Nevada points and all points of origin or destination in eastern defined territory than is charged to or from the longer distant Pacific coast terminal points, or, conversely stated, the charging of a lower rate on said traffic to and from said farther distant Pacific coast terminal points than is charged to and from said shorter distant Nevada points; and

WHEREAS, Said discriminatory and preferential system of charging is defended upon the theory that same is forced and compelled because of the presence of water competition at San Francisco, Los Angeles, and other Pacific coast terminal points or ports of call; and

WHEREAS, With rare exceptions said ocean-going traffic has never amounted to more than 10 per cent of the all-rail transcontinental traffic moving to and from said Pacific coast terminals; and

WHEREAS, Since the slides in the Panama canal in 1915 and the European war, there has never been any ocean-going competition, nor is there any today; and

WHEREAS, In exemplification of the arbitrary and unjust character of said discrimination imposed against the people of Nevada and other intermountain territory embracing all of the great country lying between a line running north and south from Canada to Mexico through Denver, and another north and south line immediately east of Seattle, Portland, San Francisco, Los Angeles, and San Diego, let it be stated that the final carriers reaching said Pacific coast terminals or ports of call absorb said entire differentials or back-haul charges assessed against our people, notwithstanding the self-evident fact that if said water competition were truly forceful and compelling, as alleged, the connecting carriers east of Ogden, El Paso, and St. Paul would be as vitally concerned and insistent upon a participation in said higher charges for said shorter hauls as are the final carriers; and

Regarding
unfair
back-haul
charges by
railroads on
Nevada
freight

WHEREAS, As further indicating that said water competition is not a compelling consideration, let it be emphasized that there have never been any differentials or back-haul charges assessed against the people of eastern interior territory (Indiana, Ohio, etc.) tributary to the Atlantic coast, on east-bound transcontinental traffic from Pacific coast terminals or interior points tributary thereto. On the contrary, while these arbitraries are not assessed against east-bound traffic to the same extent as on west-bound, yet whenever levied against said east-bound traffic, as in the case of wool shipments, the Nevada wool producer pays said back-haul charge and the originating carrier absorbs it; and

WHEREAS, Said system of back-haul charging never was, and is not now, predicated upon any principle of justice or fair dealing to the people of said intermountain territory, from which it follows that this theory or basis of rate making will not stand the test of a fair analysis; and

WHEREAS, The effect of said lower charges for the longer haul to and from said more distant points results in building up great industrial and commercial enterprises, and in centralizing and enlarging the population at said Pacific coast terminal points, a substantial proportion of which is at the expense of Nevada and other intermountain states; and

WHEREAS, The effect of said higher charges for the shorter haul to and from said less distant points results in retarding the growth and development of Nevada's industrial and commercial prosperity, and in restricting the state's growth in population and wealth; and

WHEREAS, The railroad commission of Nevada in 1908 brought a proceeding before the interstate commerce commission, and did then, and has ever since, been contending in numerous hearings which have been held, that these arbitrary back-haul charges should be entirely removed on west-bound transcontinental traffic; and

WHEREAS, When said proceeding was brought in 1908, the average back-haul charge assessed against Nevada points

Regarding
unfair
back-haul
charges by
railroads on
Nevada
freight

amounted to rates approximately 75 per cent higher than those charged on similar traffic passing through Nevada to San Francisco and Los Angeles; and

WHEREAS, Since that time said railroad commission of Nevada has been successful in securing reductions in class and commodity rates from all eastern defined territory, which have had the effect of reducing said differentials or back-haul charges to approximately 25 per cent, as compared with 75 per cent when the case was started in 1908; and

WHEREAS, The railroad commission has conclusively shown throughout the trial of these cases, that the lower rates charged to said Pacific coast terminals on said west-bound traffic was in every way compensatory when considered upon the basis of the cost of moving said traffic in trainload lots without the necessity of breaking bulk in transit during the long haul across the continent; and

WHEREAS, Further, the people of Nevada have through their railroad commission contended, and do now contend, that said rates covering the movement of west-bound trans-continental traffic to Pacific coast terminals are fully compensatory; the evidence upon this point being conclusive and having never been refuted by the railroads, it follows that the removal of said back-haul charges, and the application of rates no higher to Nevada points than to Pacific coast terminals, would be equally, or in fact more compensatory, than to said farther distant points; and

WHEREAS, The carriers have from the outset, and do now, elect to stand upon the mere question of the presence of water competition at said Pacific coast terminals as fully justifying the charging of said lower preferential rates at said Pacific coast terminals and the higher discriminatory rates at Nevada points, and this without regard to the relationship existing between the revenue received and the cost of rendering said service, or any other consideration; and

WHEREAS, Said interstate commerce commission has, in Nevada Railroad Commission vs. Southern Pacific Co., 19 I. C. C. 238, June 22, 1911, stated: "The carriers herein involved have not shown that undue discrimination was not effected by their rate reductions between points in Nevada and points in California, nor have they established that the rates to the Pacific coast cities, if extended by them from eastern points outside the zone of water influence, are not fully compensatory"; and

WHEREAS, The interstate commerce commission has, in its decision of June 5, 1916, in the matter of fourth-section applications Nos. 205, *et al.*, said: "The result of all the evidence offered was to show that there is not at this time any effective water competition between the two coasts, and that there is little likelihood of any material competition by water during the present calendar year, irrespective of the

action the commission may take with respect to these petitions. * * * The war and an unparalleled rise in prices for ocean transportation have so changed the situation as to transfer a relation of rates that was justified when established, to one that is now unjustly discriminatory against intermountain points"; and

Regarding unfair back-haul charges by railroads on Nevada freight

WHEREAS, Notwithstanding the indisputable character of the evidence submitted by Nevada through its railroad commission and said findings above quoted, the interstate commerce commission has thus far failed to remove in their entirety said arbitrary differentials or back-haul charges assessed against Nevada; and

WHEREAS, During the year 1916 the entire question covering said differentials on west-bound freight traffic was, upon further application of the Nevada railroad commission for the complete removal of said back-haul charges, again reopened and heard by the interstate commerce commission and is now submitted for decision; and

WHEREAS, If said back-haul charges are removed by order of said commission the Pacific coast jobbing interests and the carriers who profit by the perpetuation of said system of charging may contest said order in the federal courts on the ground of informality, irregularity in proceedings, or otherwise, thus resulting in unreasonable and unnecessary delay; therefore, be it

Resolved by the Senate, the Assembly concurring, That the President of the United States and the senators representing Nevada, and the Nevada representative in Congress be, and they are hereby, requested to work for the passage and vote for an amendment to section four of the act to regulate commerce, providing that it shall be unlawful for any common carrier subject to the provisions of said act to charge or receive any greater compensation in the aggregate for the transportation of freight and passengers for a shorter than for a longer distance over the same line or route in the same direction, the shorter being included within the longer distance; but this shall not be construed as authorizing any common carrier within the terms of said act to charge or receive as great compensation for a shorter as for a longer distance; and be it further

Asking Congress to amend interstate commerce act

Resolved, That Congress be and is hereby memorialized and requested to provide for and pass said amendment; and it is further

Resolved, That copies of this resolution be forwarded to each senator and representative in Congress; and it is further

Resolved, That the railroad commission of Nevada be, and it is hereby, authorized to cooperate with the railroad commissions and commercial organizations of all other intermountain states hereinbefore defined, in bringing this matter to the attention of Congress, when said amendment is under

consideration, in such manner as will most effectively support and promote its passage. _____

No. 12—*Assembly Joint Memorial.*

[Approved March 20, 1917]

To the Honorable, the Senate and House of Representatives of the United States, in Congress assembled:

Memorial-
izing
Congress to
enact
legislation
for control
of public
grazing lands

Your memorialists, the legislature of the State of Nevada, respectfully represent that

WHEREAS, A marked increase in the number of home-owning farmers in the State of Nevada would contribute greatly to the economic and political stability of the state and to the welfare of its farm workers; and

WHEREAS, The existence of great corporations which own a large part of the irrigated and irrigable lands of the state tends strongly to prevent the growth of the farm population; and

WHEREAS, The absence of a suitable national policy in relation to the control and management of public grazing lands is responsible, in large measure, for the existence of such large land holdings; and

WHEREAS, The national associations of those engaged in the cattle-raising industry and those engaged in the sheep-raising industry have both officially endorsed such a policy; therefore, be it

Resolved, That the Congress of the United States is hereby memorialized and urged to enact legislation providing for the control of the public grazing lands, and we especially emphasize the need of such legal provisions as may be necessary to increase the value of the range pastures and to open such grazing lands more fully to the use of owners of small and medium-sized farms; and be it further

Resolved, That certified copies of this memorial be forwarded by the secretary of state to each of the congressional delegation from the State of Nevada to the Congress of the United States, and that the same shall constitute a request to the said delegates to employ severally and collectively their best efforts to secure action in the premises.

No. 13—*Senate and Assembly Concurrent Resolution, approving the policies of the President of the United States and pledging the support of Nevada and its citizens.*

[Approved March 20, 1917]

WHEREAS, This is the day on which the President of the United States is again formally inaugurated; and

Pledging
support of
Nevada to
President
Wilson

WHEREAS, It is the duty of every American, regardless of party fealty and family faith, to uphold the national government and the President of the United States at all times, and

more particularly when the nation's honor has been assailed; and

WHEREAS, Upon the shoulders of the President of the United States is piled the awful burden of decisions that may change the whole face of the world; and

Pledging
support of
Nevada to
President
Wilson

WHEREAS, The situation in which he is placed is so full of distressing anxieties and so appealing to the sympathy of all good men and good women; be it

Resolved, That, addressing our thoughts to our country's perplexities and problems and our petitions to the Divine Goodness that will guide president and people in the way that shall lead to our country's security, we do again pledge the State of Nevada and its people to the limit of their resources towards the maintenance of the honor of the nation and the support of our President and the national government; and be it further

Resolved, That a copy of this resolution, signed by the governor of the State of Nevada, the president of the senate and the speaker of the assembly, be transmitted by telegraph to the President of the United States and that an engrossed copy hereof, certified under the great seal of the State of Nevada, be transmitted by mail to the President of the United States.

No. 14—*Assembly Joint and Concurrent Resolution.*

[Approved March 20, 1917]

WHEREAS, J. H. Price, Clinton Sparks, Halbert Bulmer, J. E. Babcock, Dr. Francis C. Lincoln, and Dr. Claude Jones installed and were in charge of Nevada's mining exhibit at the Panama-Pacific international exposition held at San Francisco, California, during the year 1915; and

Thanking
those in
charge of
Nevada
mining
exhibit
at P. P. I. E.

WHEREAS, Said exhibit was awarded the grand prize by the international jury of awards against all competitors; and

WHEREAS, Said exhibit has brought great credit to the State of Nevada; and

WHEREAS, The success of said exhibit was largely due to the efforts and ability of said J. H. Price, Clinton Sparks, Halbert Bulmer, J. E. Babcock, Dr. Francis C. Lincoln, and Dr. Claude Jones; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That a vote of thanks be extended to said J. H. Price, Clinton Sparks, Halbert Bulmer, J. E. Babcock, Dr. Francis C. Lincoln, and Dr. Claude Jones; and be it further

Resolved, That copies of this resolution be transmitted to said J. H. Price, Clinton Sparks, Halbert Bulmer, J. E. Babcock, Dr. Francis C. Lincoln, and Dr. Claude Jones.

No. 15—*Senate and Assembly Joint and Concurrent Resolution, adopting an emblem for the State of Nevada.*

[Approved March 20, 1917]

Be it resolved by the Senate, the Assembly concurring, That sagebrush (*Artemisia tridentata* or *trifida*) is hereby adopted as the state emblem of the State of Nevada.

No. 16—*Assembly Resolution.*

[Approved March 20, 1917]

Correcting
senate bill
No. 186

WHEREAS, Senate bill No. 183 has been amended as to section 26, page 11, lines 6, 7 and 8 of printed bill by the elimination of the words and figures "to be provided for by 1918 levy and not expended before 1918"; and

WHEREAS, The appropriation of \$7,500 for improvement of capitol corridors, the description from which this elimination was made, has been provided for by senate bill No. 186, wherein on page 3, lines 22 and 23, the words and figures eliminated from senate bill No. 183, are included; and

WHEREAS, Such inclusion renders this particular portion of senate bill No. 183 and senate bill No. 186 inoperative; now, therefore, be it

Resolved, That the enrolling clerk be, and hereby is, directed to correct senate bill No. 186 by striking from page 3, in lines 22 and 23, as appears in the printed bill, the following words and figures: "To be provided for by the 1918 levy and not expended before 1918."

No. 17—*Senate Concurrent Resolution, relative to accepting report of the university investigation committee.*

Thanking
and
discharging
university
investigation
committee

WHEREAS, Under authority of the assembly joint and concurrent resolution No. 1, a committee was appointed to investigate the affairs of the University of Nevada; and

WHEREAS, Such committee has completed its report and submitted same to both houses of this legislature; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That said report be accepted and adopted and the committee discharged.

No. 18—*Assembly and Senate Concurrent Resolution, respecting injuries suffered by the people and State of Nevada from the pollution of the Truckee river by the Floriston Pulp and Paper Company, by sufferance of a sister state, and demanding the abatement thereof by the government and officers of said state.*

[Approved March 23, 1917]

WHEREAS, The Floriston Pulp and Paper Company has for

a long time past made a practice of and still continues dumping into the Truckee river, above the city of Reno, certain acids, pulp, refuse and waste materials from their paper-pulp mill at Floriston, California; and Regarding pollution of Truckee river

WHEREAS, Mr. Arthur Arlett, as a special representative of Governor Hiram W. Johnson of California, has investigated such practice and has condemned the same; and

WHEREAS, The State of Nevada spends large amounts of moneys in endeavoring to stock said Truckee river with fish; and

WHEREAS, Such matters, refuse, pulp, oils and acids are deleterious to health, distasteful and disagreeable, and are a menace to and destructive of fish life and fish food in the Truckee river; and

WHEREAS, The California fish commission has investigated said practice and has condemned the same; and

WHEREAS, Said Truckee river is an interstate stream, having its rise and source in California, and running through and into the State of Nevada; and

WHEREAS, The point and place where said refuse, pulp, waste, acids and other refuse materials are dumped into the Truckee river, is within the State of California; now, therefore, be it

Resolved by the Assembly of the State of Nevada, the Senate concurring, That the State of Nevada would expect an immediate and clamorous protest from the State of California and, being advised, would heed the same, were the identity of injured and injuring state exchanged, and therefore rightly expects the observance of such principles of comity and equity; and therefore be it further Asking California to cooperate

Resolved, That we most respectfully, but firmly, demand of our sister State of California and of her legislature, her governor and her attorney-general, that they take such action and steps as may be necessary to prevent a continuation of the methods and practices of said Floriston Pulp and Paper Company of dumping refuse and deleterious matter into the Truckee river; and be it further

Resolved, That a copy of these resolutions be transmitted to the honorable the assembly of the State of California, the honorable the senate of the State of California, the Honorable Hiram W. Johnson, governor of the State of California, and the Honorable U. S. Webb, attorney-general of the State of California.

No. 19—*Assembly Joint and Concurrent Resolution, relative to amending section four of article six of the constitution of the State of Nevada.*

[Approved March 27, 1917]

Resolved by the Assembly, the Senate concurring, That section four of article six of the constitution of the State of Nevada be amended so as to read as follows:

Amending
section 4 of
article 6 of
Nevada con-
stitution—
Jurisdiction
and powers
of supreme
court

Section 4. The supreme court shall have appellate jurisdiction in all cases in equity; also in all cases at law in which is involved the title, or the right of possession to, or the possession of, real estate or mining claims, or the legality of any tax, impost, assessment, toll or municipal fine, or in which the demand (exclusive of interest) or the value of the property in controversy, exceeds three hundred dollars; also in all other civil cases not included in the general subdivisions of law and equity, and also on questions of law alone in all criminal cases in which the offense charged is within the original jurisdiction of the district courts. The court shall also have power to issue writs of mandamus, *certiorari*, prohibition, *quo warranto*, and *habeas corpus* and also all writs necessary or proper to the complete exercise of its appellate jurisdiction. Each of the justices shall have power to issue writs of *habeas corpus* to any part of the state, upon petition by, or on behalf of, any person held in actual custody, and may make such writs returnable, before himself or the supreme court, or before any district court in the state or before any judge of said courts.

In case of the disability or disqualification, for any cause, of the chief justice or either of the associate justices of the supreme court, or any two of them, the governor is authorized and empowered to designate any district judge or judges to sit in the place or places of such disqualified or disabled justice or justices, and said judge or judges so designated shall receive their actual expense of travel and otherwise while sitting in said supreme court.

CERTIFICATE

STATE OF NEVADA, }
DEPARTMENT OF STATE. } ss.

I, George Brodigan, the duly elected, qualified and acting Secretary of State of the State of Nevada, do hereby certify that the foregoing laws and resolutions, published in this volume, beginning on page 1 and ending on page 492, are true, full and correct copies of the original enrolled acts and resolutions passed during the Twenty-eighth Session of the Nevada State Legislature (1917), as the same appear on file and of record in this office.

++——++
| SEAL |
++——++

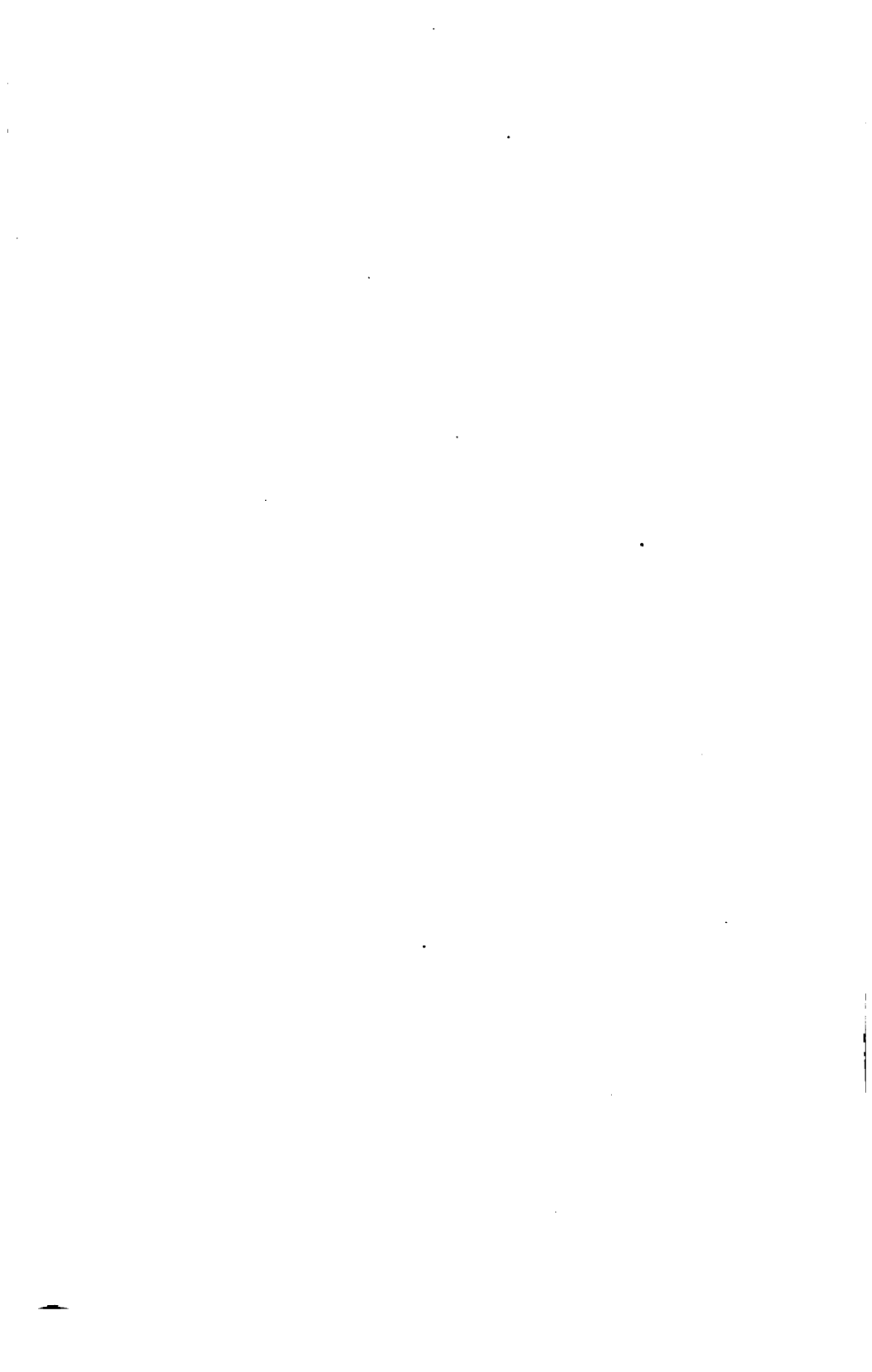
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office in Carson City, Nevada, this 6th day of April, A. D. 1917.

George Brodigan

Secretary of State.



CONSTITUTION
OF THE
UNITED STATES OF AMERICA



Constitution of the United States of America

We, the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America:

ARTICLE I

SECTION 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a senate and house of representatives. Powers vested in Congress

SEC. 2.—1. The house of representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature. Representatives, how chosen

2. No person shall be a representative who shall not have attained the age of twenty-five years and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen. Who eligible

3. Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and, excluding Indians not taxed, three-fifths of all other persons.

The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each state shall have at least one representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three; Massachusetts, eight; Rhode Island and Providence Plantations, one; Connecticut, five; New York, six; New Jersey, four; Pennsylvania, eight; Delaware, one; Maryland, six; Virginia, ten; North Carolina, five; South Carolina, five; and Georgia, three. Original apportionment of representatives

Vacancies, how filled	4. When vacancies happen in the representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.
Powers house rep- resentatives	5. The house of representatives shall choose their speaker and other officers, and shall have the sole power of impeachment.
U.S. senators classified	SEC. 3.—1. Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year; of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year.
Age of eligibility	2. No person shall be a senator who shall not have attained the age of thirty years and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.
Who president of senate	3. The vice-president of the United States shall be president of the senate, but shall have no vote unless they be equally divided.
Other officers provided	4. The senate shall choose their other officers, and also a president pro tempore, in the absence of the vice-president, or when he shall exercise the office of president of the United States.
Power of impeach- ment	5. The senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the president of the United States is tried, the chief justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.
Judgment on impeach- ment	6. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment, according to law.
Time and place of electing senators and representa- tives	SEC. 4.—1. The times, places, and manner of holding elections for senators and representatives shall be prescribed in each state by the legislature thereof; but the Congress may at any time, by law, make or alter such regulations, except as to the place of choosing senators.
Congress to assemble, when	2. The Congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall, by law, appoint a different day.
Qualifica- tions of, how judged	SEC. 5.—1. Each house shall be the judge of the elections, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in

such manner, and under such penalties, as each house may provide.

2. Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

3. Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal.

4. Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

SEC. 6.—1. The senators and representatives shall receive a compensation for their services, to be ascertained by law; and paid out of the treasury of the United States. They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place.

2. No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States shall be a member of either house during his continuance in office.

SEC. 7.—1. All bills for raising revenue shall originate in the house of representatives; but the senate may propose or concur with amendments, as on other bills.

2. Every bill which shall have passed the house of representatives and the senate shall, before it becomes a law, be presented to the president of the United States. If he approve, he shall sign it; but if not, he shall return it, with his objections to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the president within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner

as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Executive
action
required,
when

3. Every order, resolution, or vote to which the concurrence of the senate and house of representatives may be necessary (except on a question of adjournment) shall be presented to the president of the United States; and before the same shall take effect shall be approved by him, or, being disapproved by him, shall be repassed by two-thirds of the senate and house of representatives, according to the rules and limitations prescribed in the case of a bill.

SEC. 8. The Congress shall have power—

Powers of
Congress in
detail

1. To lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

2. To borrow money on the credit of the United States.

3. To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

4. To establish a uniform rule of naturalization and uniform laws on the subject of bankruptcies throughout the United States.

5. To coin money, regulate the value thereof and of foreign coin, and fix the standard of weights and measures.

6. To provide for the punishment of counterfeiting the securities and current coin of the United States.

7. To establish postoffices and post-roads.

8. To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.

9. To constitute tribunals inferior to the supreme court.

10. To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations.

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

12. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years.

13. To provide and maintain a navy.

14. To make rules for the government and regulation of the land and naval forces.

15. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

16. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.

17. To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of

Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings; and

Powers of Congress in detail

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

SEC. 9.—1. The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

Inhibitions in detail

2. The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

3. No bill of attainder or *ex post facto* law shall be passed.

4. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

5. No tax or duty shall be laid on articles exported from any state.

6. No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another; nor shall vessels bound to or from one state be obliged to enter, clear, or pay duties in another.

7. No money shall be drawn from the treasury but in consequence of appropriations made by law, and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

8. No title of nobility shall be granted by the United States and no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state.

SEC. 10.—1. No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility.

2. No state shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all of such laws shall be subject to the revision and control of the Congress.

Inhibitions 3. No state shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II

Executive power vested SECTION 1.—1. The executive power shall be vested in a president of the United States of America. He shall hold his office during the term of four years, and, together with the vice-president, chosen for the same term, be elected as follows:

Electors, number of and how appointed 2. Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the state may be entitled in the Congress; but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

[3. The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the president of the senate. The president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the president, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the house or representatives shall immediately choose by ballot one of them for president; and if no person have a majority, then from the five highest on the list the said house shall in like manner choose the president. But in choosing the president the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. In every case, after the choice of the president, the person having the greatest number of votes of the electors shall be the vice-president. But if there should remain two or more who have equal votes, the senate shall choose from them by ballot the vice-president.]

Who eligible to the presidency 4. The Congress may determine the time of choosing the electors,² and the day on which they shall give their votes; which day shall be the same throughout the United States.

5. No person except a natural-born citizen, or a citizen of the United States at the time of the adoption of this constitution, shall be eligible to the office of president; neither shall any person be eligible to that office who shall not have attained the age of thirty-five years, and been fourteen years a resident within the United States.

Succession to the presidency 6. In case of the removal of the president from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the vice-president; and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the president and vice-president, declaring what officer shall

¹The portion in brackets has been superseded by the 12th amendment.

²The time for choosing the electors is the first Tuesday after the first Monday in November.

then act as president, and such officer shall act accordingly, until the disability be removed, or a president shall be elected.

7. The president shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected; and he shall not receive within that period any other emolument from the United States, or any of them. Compensation of president

8. Before he enters on the execution of his office, he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of president of the United States, and will, to the best of my ability, preserve, protect, and defend the constitution of the United States." Presidential oath

SEC. 2.—1. The president shall be commander-in-chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment. President as commander-in-chief

2. He shall have power, by and with the advice and consent of the senate, to make treaties, provided two-thirds of the senators present concur; and he shall nominate and, by and with the advice and consent of the senate, shall appoint ambassadors, other public ministers and consuls, judges of supreme court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers as they think proper in the president alone, in the courts of law, or in the heads of departments. Presidential patronage

3. The president shall have power to fill up all vacancies that may happen during the recess of the senate, by granting commissions which shall expire at the end of their next session.

SEC. 3. He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors, and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States. To report to Congress, when

SEC. 4. The president, vice-president, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors. How removed from office

ARTICLE III

Judicial power vested SECTION 1. The judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the Congress may, from time to time, ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

Judicial power limited SEC. 2. The judicial power shall extend to all cases, in law and equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states; between a state and citizens of another state; between citizens of different states; between citizens of the same state, claiming lands under grants of different states; and between a state, or the citizens thereof, and foreign states, citizens or subjects.

Original jurisdiction, when 2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

Trial by jury granted 3. The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crime shall have been committed, but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

Treason defined SEC. 3. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

Treason punished 2. The Congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

ARTICLE IV

Faith and credit given acts of state SECTION 1. Full faith and credit shall be given in each state to the public acts, records and judicial proceedings of every other state. And the Congress may by general laws prescribe the manner in which such acts, records, and proceedings shall be proved and the effect thereof.

SEC. 2.—1. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

2. A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

3. No person held to service or labor in one state, under the laws hereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

SEC. 3.—1. New states may be admitted by the Congress into this Union, but no new state shall be formed or erected within the jurisdiction of any other state, nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned, as well as of the Congress.

New states
admitted,
when

2. The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States, and nothing in this constitution shall be so construed as to prejudice any claims of the United States or of any particular state.

Powers of
Congress

SEC. 4. The United States shall guarantee to every state in this Union a republican form of government, and shall protect each of them against invasion, and, on application of the legislature, or of the executive (when the legislature cannot be convened), against domestic violence.

Republican
form of
government
guaranteed

ARTICLE V

The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; *provided*, that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article, and that no state, without its consent, shall be deprived of its equal suffrage in the senate.

Constitution
may be
amended,
how

ARTICLE VI

1. All debts contracted and engagements entered into before the adoption of this constitution shall be as valid against the United States under this constitution as under the confederation.

Debts of con-
federation
assumed

2. This constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every state shall be bound thereby, anything in the constitution or laws of any state to the contrary notwithstanding.

3. The senators and representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation to support this constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII

The ratification of the conventions of nine states shall be sufficient for the establishment of this constitution between the states so ratifying the same.

Done in convention by the unanimous consent of the states present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the independence of the United States of America the twelfth.

In witness whereof we have hereunto subscribed our names.

GEORGE WASHINGTON,

President, and Deputy from Virginia.

New Hampshire—

John Langdon,
Nicholas Gilman.

Massachusetts—

Nathaniel Gorham,
Rufus King.

Connecticut—

William Samuel Johnson,
Roger Sherman.

New York—

Alexander Hamilton.

New Jersey—

William Livingston,
David Brearley,
William Patterson,
Jonathan Dayton.

Delaware—

George Read,
Gunning Belford, Jr.,
John Dickinson,
Richard Bassett,
Jacob Broom.

Maryland—

James McHenry,
Dan. of St. Thos. Jenifer,
Daniel Carroll.

Virginia—

John Blair,
James Madison, Jr.

North Carolina—

William Blount,
Richard Dobbs Spaight,
Hugh Williamson.

Pennsylvania—

Benjamin Franklin,
 Thomas Mifflin,
 Robert Morris,
 George Clymer,
 Thomas Fitzsimmons,
 Jared Ingersoll,
 James Wilson,
 Gouverneur Morris.

Attest:

South Carolina—

John Rutledge,
 Charles C. Pinckney,
 Charles Pinckney,
 Pierce Butler.

Georgia—

William Few,
 Abraham Baldwin.

WILLIAM JACKSON,
Secretary.

The following-named delegates from other states were present, but did not sign the constitution:

Massachusetts—

Eldridge Gerry,
 Caleb Strong.

New Jersey—

Wm. C. Houston.

Connecticut—

Oliver Ellsworth.

Virginia—

Edmund Randolph,
 George Mason,
 George Wythe,
 James McClurg.

New York—

John Lansing, Jr.,
 Robert Yates.

North Carolina—

Alexander Martin,
 Wm. R. Davie.

Maryland—

John Francis Mercer,
 Luther Martin.

Georgia—

Wm. Pierce,
 Wm. Houston.

Of the 63 delegates originally appointed, 10 did not attend, 2 of which vacancies were filled. Of those attending, 39 signed and 16 did not.

The constitution was adopted by the convention on the 17th of September, 1787, appointed in pursuance of the resolution of the congress of the confederation of the 21st of February, 1787, and ratified by the conventions of the several states, as follows:

Delaware, December 7, 1787, unanimously.

Pennsylvania, December 12, 1787, by a vote of 46 to 23.

New Jersey, December 18, 1787, unanimously.

Georgia, January 2, 1788, unanimously.

Connecticut, January 9, 1788, by a vote of 128 to 40.

Massachusetts, February 6, 1788, by a vote of 187 to 168.

Maryland, April 28, 1788, by a vote of 63 to 12.

South Carolina, May 23, 1788, by a vote of 149 to 73.

New Hampshire, June 21, 1788, by a vote of 57 to 47.

Virginia, June 25, 1788, by a vote of 89 to 79.

New York, July 26, 1788, by a vote of 30 to 25.

North Carolina, November 21, 1789, by a vote of 193 to 75.

Rhode Island, May 29, 1790, by a majority of 2.

Vermont, January 10, 1791, by a vote of 105 to 4.

Declared ratified by resolution of the old Congress, September 13, 1788.

[The adoption of the constitution was opposed by many who believed that the extensive powers granted by it to Congress and the executive would be dangerous to the liberties of the people. It was, however, finally adopted chiefly through the exertions and writings of James Madison, John Jay, and Alexander Hamilton. Virginia ratified the constitution with the declaration that she was at liberty to withdraw from the Union whenever its powers were used for oppression; and New York after Hamilton had declared that no state should ever be coerced by an armed force. There were two great parties: The Federalists, in favor of a strong centralized government, and the Anti-Federalists, supporters of state's rights. Washington and Adams, Federalist leaders, were elected, and the government was organized with Thomas Jefferson, secretary of state; Alexander Hamilton, secretary of the treasury; Henry Knox, secretary of war, and John Jay, chief justice of the supreme court.]

AMENDMENTS TO THE CONSTITUTION

ARTICLE I¹

Sectarianism
prohibited

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ARTICLE II

Right to bear
arms

A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

ARTICLE III

Soldiery not
to be
quartered on

No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner to be prescribed by law.

ARTICLE IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seiz-

¹Twelve amendments were proposed by Congress, September 25, 1789. The last ten were adopted, which are the first ten as shown above, and were proclaimed to be in force December 15, 1791.

The rejected articles were as follows:

I. After the first enumeration required by the first article of the constitution there shall be one representative for every 30,000 persons, until the number shall amount to one hundred; after which the proportion shall be so regulated by Con-

ures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V

No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

Rights of
persons
charged with
crime
secured

ARTICLE VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Rights of
accused
persons

ARTICLE VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise reexamined in any court of the United States than according to the rules of the common law.

The common
law adopted

ARTICLE VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Excessive
bail and
punishment
inhibited

gress that there shall not be less than one hundred representatives, nor more than one representative for every 40,000 persons, until the number of representatives shall amount to two hundred; after which the proportion shall be so regulated by Congress that there shall not be less than two hundred representatives, nor more than one representative for every 50,000 persons.

II. No law varying the compensation for the services of the senators and representatives shall take effect until an election of representatives shall have intervened.

The twelve proposed amendments were acted upon by the states as follows:

All ratified by Kentucky, Maryland, New Jersey, North Carolina, South Carolina, Vermont, and Virginia—7.

All, excepting Article I, ratified by Delaware—1.

All, excepting Article II, ratified by Pennsylvania—1.

All, excepting Article I and II, ratified by New Hampshire, New York, and Rhode Island—3.

All rejected by Connecticut, Georgia, and Massachusetts—3.

ARTICLE IX

Certain
rights
construed

The enumeration in the constitution of certain rights shall not be construed to deny or disparage others retained by the people.

ARTICLE X

State rights
defined

The powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

ARTICLE XI¹

Judicial
powers of
the United
States
limited

The judicial power of the United States shall not be construed to extend to any suit in law or equity commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state.

ARTICLE XII²

President of
the United
States, how
elected

The electors shall meet in their respective states and vote by ballot for president and vice-president, one of whom, at least, shall not be an inhabitant of the same state with themselves. They shall name in their ballots the person voted for as president and in distinct ballots the person voted for as vice-president; and they shall make distinct lists of all persons voted for as president, and of all persons voted for as vice-president, and of the number of votes for each, which lists they shall sign and certify, and transmit, sealed, to the seat of government of the United States, directed to the president of the senate. The president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes for president shall be president, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as president, the house of representatives shall choose immediately, by ballot, the president. But in choosing the president, the votes shall be taken by states, the representation from each state having one vote. A quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the house of representatives shall not choose a president, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the vice-president shall act as president, as in the case of the death or other constitutional disability of the president. The person having the greatest number of votes as vice-president shall

¹Article XI was proposed by Congress March 12, 1794, and declared in force January 8, 1798.

²Article XII was proposed in the first session of the Eighth Congress, and declared in force September 25, 1804.

be the vice-president, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list the senate shall choose the vice-president; a quorum for the purpose shall consist of two-thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of president shall be eligible to that of vice-president of the United States.

President,
how elected

ARTICLE XIII¹

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Slavery
abolished

SEC. 2. Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV²

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Citizenship
defined and
rights
secured

SEC. 2. Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for president and vice-president of the United States, representatives in Congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the male inhabitants of such state being twenty-one years of age and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein

Representa-
tion
regulated

¹Article XIII was proposed by Congress February 1, 1865, and declared in force December 18, 1865.

Ratified by Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Michigan, Massachusetts, Minnesota, Mississippi, Missouri, Nevada, New Jersey, New Hampshire, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin—33. Ratified conditionally by Alabama and Mississippi—2. Rejected by Delaware and Kentucky—2.

²Article XIV was proposed by Congress June 13, 1866, and declared in force July 28, 1869.

Ratified by Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Jersey, New Hampshire, New York, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin—33.

Of the above, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Texas, and Virginia first rejected the amendment, but finally ratified it. New Jersey and Ohio rescinded their ratification.

Rejected by Delaware, Kentucky, and Maryland—3.

No final action was taken by California—1.

shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

Certain
persons
ineligible
to office

SEC. 3. No person shall be a senator or representative in Congress, or elector of president and vice-president, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath as a member of Congress, or as an officer of the United States, or as a member of any state legislature, or as an executive or judicial officer of any state, to support the constitution of the United States, shall have been engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each house, remove such disability.

Rebellion
debt
declared
valid

Payment of
insurrection-
ary debt
inhibited

SEC. 4. The validity of the public debt of the United States authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any state shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss, or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.

SEC. 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

ARTICLE XV¹

Suffrage not
to be denied
on account
of race,
color, etc.

SECTION 1. The right of the citizens of the United States to vote shall not be denied or abridged by the United States, or by any state, on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have full power to enforce this article by appropriate legislation.

ARTICLE XVI²

Income tax

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportion-

¹Article XV was proposed by Congress February 26, 1869, and declared in force March 30, 1870.

Ratified by Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Texas, Vermont, Virginia, West Virginia, and Wisconsin—80.

Of the above, Georgia and Ohio at first rejected, but finally ratified. New York rescinded her ratification.

Rejected by California, Delaware, Kentucky, Maryland, New Jersey, and Oregon—6.

No final action was taken by Tennessee—1.

²Article XVI was proposed by Congress March 15, 1909, and declared in force February 25, 1913.

Ratified by Alabama, Kentucky, South Carolina, Illinois, Mississippi, Oklahoma, Maryland, Georgia, Texas, Ohio, Idaho, Oregon, Washington, California, Montana, Indiana, Nevada, North Carolina, Nebraska, Kansas, Colorado, North Dakota, Michigan, Iowa, Missouri, Maine, Tennessee, Arkansas, Wisconsin, New York, South Dakota, Arizona, Minnesota, Louisiana, Delaware, and Wyoming—36.

ment among the several states, and without regard to any census or enumeration.

ARTICLE XVII¹

The senate of the United States shall be composed of two senators from each state, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

Election of
U.S. senators
by people

When vacancies happen in the representation of any state in the senate the executive authority of such state shall issue writs of election to fill such vacancies; *provided*, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

Executive to
issue writs of
election to
fill vacancies

This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the constitution.

¹Article XVII was proposed by Congress December 4, 1911, and declared in force May 31, 1913.

Ratified by Arizona, Arkansas, California, Colorado, Connecticut, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, Montana, Minnesota, Missouri, Nebraska, Nevada, New Jersey, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Vermont, Washington, West Virginia, Wisconsin, and Wyoming—36.

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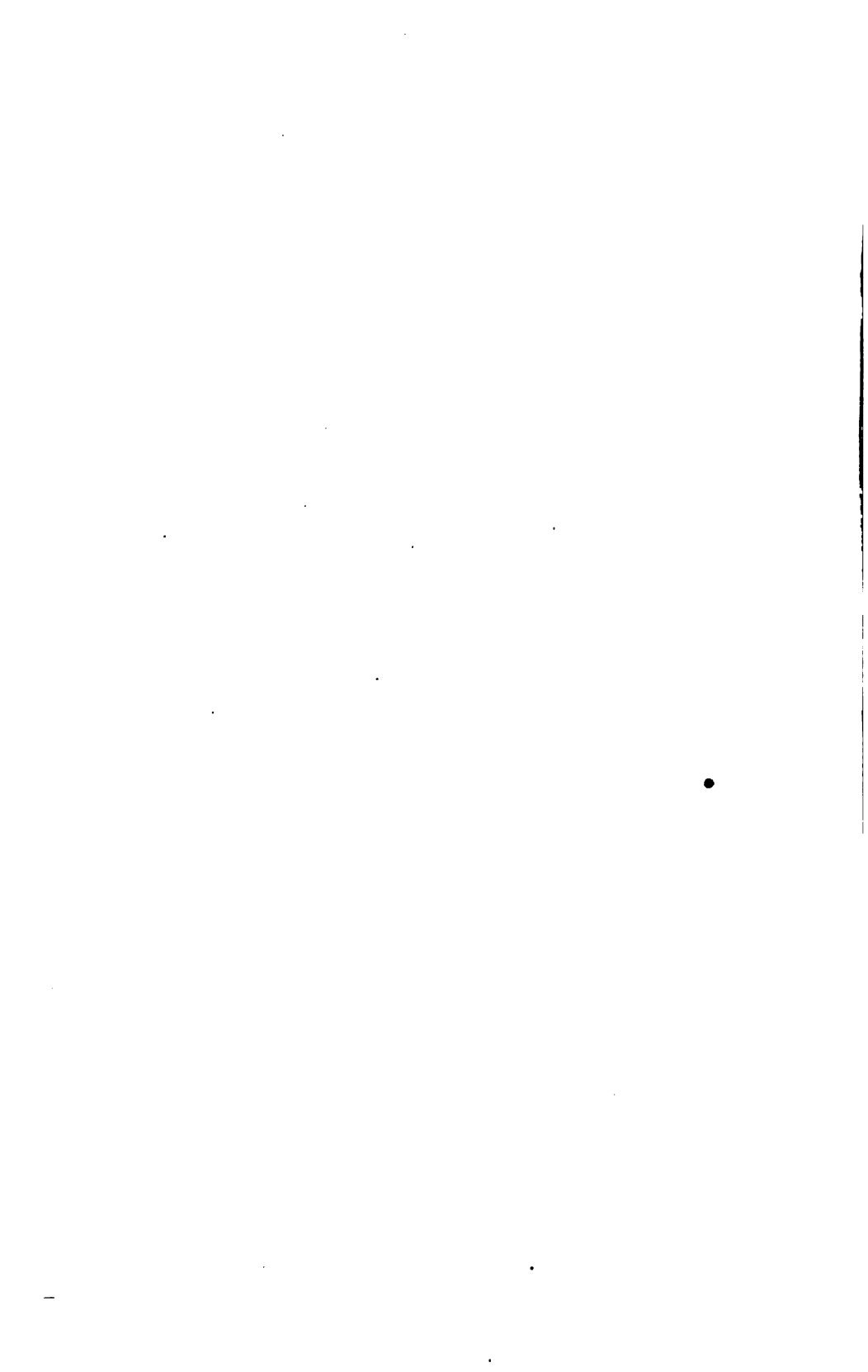
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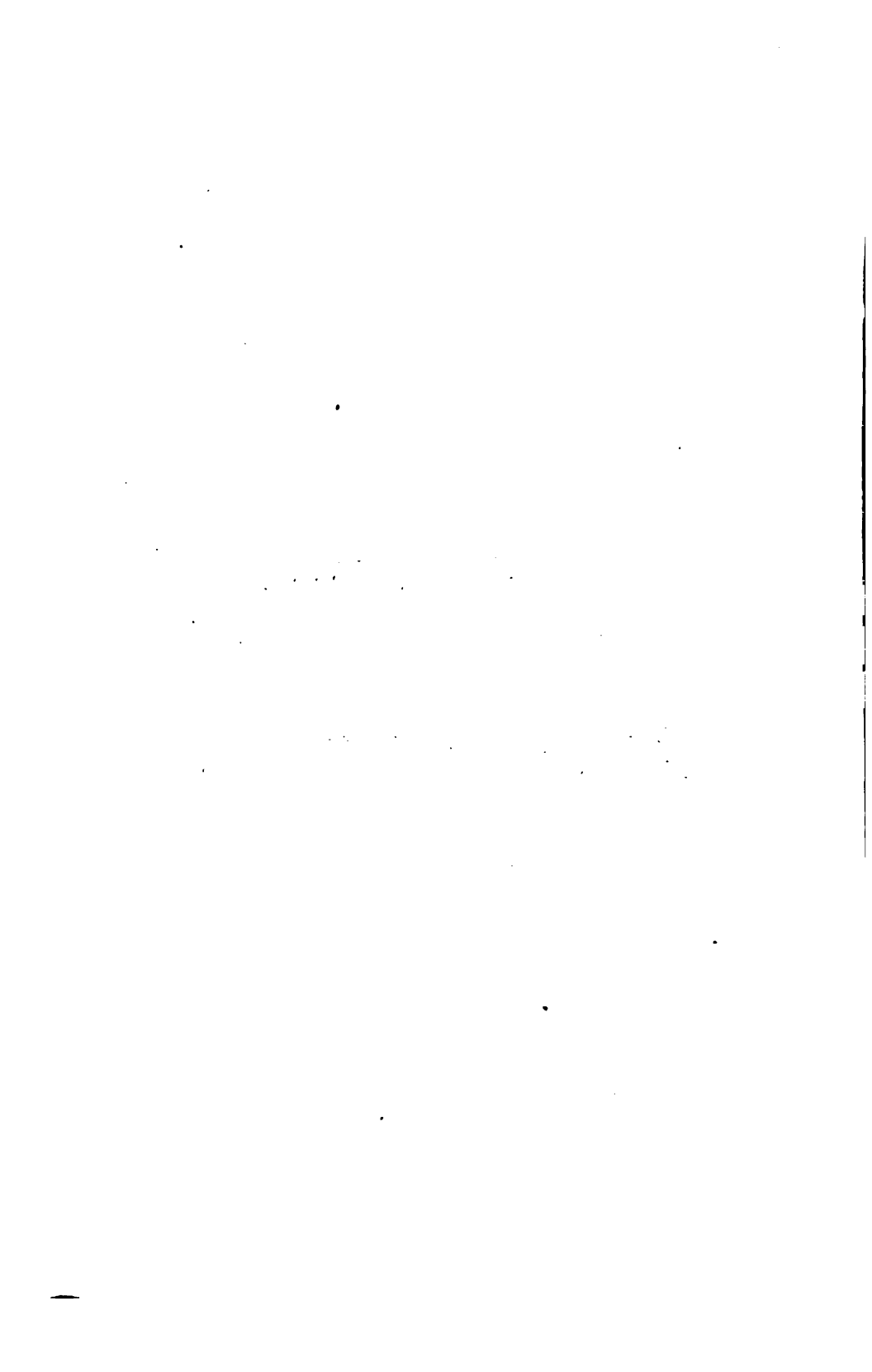
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CONSTITUTION
OF THE
STATE OF NEVADA



Constitution of the State of Nevada

[As amended up to and including November 7, 1916]

PRELIMINARY ACTION

WHEREAS, The act of Congress approved March twenty-first, A. D. eighteen hundred and sixty-four, "To enable the people of the Territory of Nevada to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states," requires that the members of the convention for framing said constitution shall, after organization, on behalf of the people of said territory, adopt the constitution of the United States; therefore be it

Preamble

2. *Resolved*, That the members of this convention, elected by the authority of the aforesaid enabling act of Congress, as assembled in Carson City, the capital of said Territory of Nevada, and immediately subsequent to its organization, do adopt, on behalf of the people of said territory, the constitution of the United States.

United States constitution adopted

ORDINANCE

3. In obedience to the requirements of an act of the Congress of the United States, approved March twenty-first, A. D. eighteen hundred and sixty-four, to enable the people of Nevada to form a constitution and state government, this convention, elected and convened in obedience to said enabling act, do ordain as follows, and this ordinance shall be irrevocable, without the consent of the United States and the people of the State of Nevada:

Ordinance made irrevocable

First—That there shall be in this state neither slavery nor involuntary servitude, otherwise than in the punishment for crimes, whereof the party shall have been duly convicted.

Slavery inhibited

Second—That perfect toleration of religious sentiment shall be secured, and no inhabitant of said state shall ever be molested, in person or property, on account of his or her mode of religious worship.

Freedom of worship secured

Third—That the people inhabiting said territory do agree, and declare, that they forever disclaim all right and title to the unappropriated public lands lying within said territory, and that the same shall be and remain at the sole and entire disposition of the United States; and that lands belonging to citizens of the United States, residing without the said state, shall never be taxed higher than the land belonging to residents thereof; and that no taxes shall be imposed by said

Right to public land disclaimed

state on lands or property therein belonging to, or which may hereafter be purchased by, the United States.

Preamble

Constitution
proclaimed

4. We, the people of the State of Nevada, grateful to Almighty God for our freedom, in order to secure its blessings, insure domestic tranquility, and form a more perfect government, do establish this

CONSTITUTION

ARTICLE I

DECLARATION OF RIGHTS

Declaration
of rights

SECTION 1. All men are, by nature, free and equal, and have certain inalienable rights, among which are those of enjoying and defending life and liberty; acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness.

Paramount
allegiance

SEC. 2. All political power is inherent in the people. Government is instituted for the protection, security and benefit of the people; and they have the right to alter or reform the same whenever the public good may require it. But the paramount allegiance of every citizen is due to the federal government, in the exercise of all its constitutional powers, as the same have been, or may be, defined by the supreme court of the United States, and no power exists in the people of this or any other state of the federal union to dissolve their connection therewith, or perform any act tending to impair, subvert, or resist the supreme authority of the government of the United States. The constitution of the United States confers full power on the federal government to maintain and perpetuate its existence, and whensoever any portion of the states, or people thereof, attempt to secede from the federal union, or forcibly resist the execution of its laws, the federal government may, by warrant of the constitution, employ armed force in compelling obedience to its authority.

Rights of
secession
denied

Trial by jury
secured

SEC. 3. The right of trial by jury shall be secured to all, and remain inviolate forever; but a jury trial may be waived by the parties in all civil cases, in the manner to be prescribed by law; and in civil cases, if three-fourths of the jurors agree upon a verdict, it shall stand and have the same force and effect as a verdict by the whole jury; *provided*, the legislature, by a law passed by a two-thirds vote of all the members elected to each branch thereof, may require a unanimous verdict, notwithstanding this provision.

Freedom of
worship
secured

SEC. 4. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this state; and no person shall be rendered incompetent to be a witness on account of his opinions on matters of his religious belief; but the liberty of

conscience hereby secured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this state.

SEC. 5. The privilege of the writ of *habeas corpus* shall not be suspended, unless when, in case of rebellion or invasion, the public safety may require its suspension.

Habeas corpus suspended, when

SEC. 6. Excessive bail shall not be required, nor excessive fines imposed; nor shall cruel or unusual punishments be inflicted; nor shall witnesses be unreasonably detained.

Bail, fines and punishments limited

SEC. 7. All persons shall be bailable by sufficient sureties, unless for capital offenses when the proof is evident or the presumption great.

SEC. 8. No person shall be tried for a capital or other infamous crime (except in cases of impeachment, and in cases of the militia when in actual service, and the land and naval forces in time of war, or which this state may keep, with the consent of Congress, in time of peace, and in cases of petit larceny, under the regulation of the legislature) except on presentment or indictment of the grand jury, or upon information duly filed by a district attorney, or attorney-general of the state, and in any trial, in any court whatever, the party accused shall be allowed to appear and defend in person, and with counsel, as in civil actions. No person shall be subject to be twice put in jeopardy for the same offense; nor shall he be compelled, in any criminal case, to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation having been first made, or secured, except in cases of war, riot, fire, or great public peril, in which case compensation shall be afterward made.

Attorney-general or district attorney may cause arrest on information

Not to be twice put in jeopardy

Private property for public use

[As amended. Proposed and passed at the twenty-fourth session of the legislature, March 22, 1909, Statutes of 1909, page 346; agreed to and passed at the twenty-fifth session, February 20, 1911, Statutes of 1911, page 454; approved and ratified by the people at the general election of 1912.]

SEC. 9. Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions and civil actions for libels the truth may be given in evidence to the jury, and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives, and for justifiable ends, the party shall be acquitted or exonerated.

Freedom of speech and press

SEC. 10. The people shall have the right freely to assemble together to consult for the common good, to instruct their representatives, and to petition the legislature for redress of grievances.

Right of assembly and petition

SEC. 11. The military shall be subordinate to the civil power. No standing army shall be maintained by this state in time of peace, and in time of war no appropriation for a standing army shall be for a longer time than two years.

Military establishment limited

Soldier quartered, how
 SEC. 12. No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war, except in the manner to be prescribed by law.

Rep-resentation
 SEC. 13. Representation shall be apportioned according to population.

Debtor's property exempt from execution
 SEC. 14. The privilege of the debtor to enjoy the necessary comforts of life shall be recognized by wholesome laws, exempting a reasonable amount of property from seizure or sale for payment of any debts or liabilities hereafter contracted; and there shall be no imprisonment for debt, except in cases of fraud, libel, or slander, and no person shall be imprisoned for a militia fine in time of peace.

Certain inhibitions
 SEC. 15. No bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, shall ever be passed.

Rights of foreigners
 SEC. 16. Foreigners who are, or may hereafter become, bona fide residents of this state, shall enjoy the same rights in respect to the possession, enjoyment, and inheritance of property as native-born citizens.

Slavery prohibited
 SEC. 17. Neither slavery nor involuntary servitude, unless for the punishment of crimes, shall ever be tolerated in this state.

Search and seizure regulated
 SEC. 18. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable seizures and searches, shall not be violated; and no warrant shall issue but on probable cause, supported by oath or affirmation particularly describing the place or places to be searched, and the person or persons, and thing or things to be seized.

Treason defined
 SEC. 19. Treason against the state shall consist only in levying war against it, adhering to its enemies, or giving them aid or comfort. And no person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court.

SEC. 20. This enumeration of rights shall not be construed to impair or deny others retained by the people.

ARTICLE II

RIGHT OF SUFFRAGE

How and by whom the franchise may be enjoyed
 SECTION 1. All citizens of the United States (not laboring under the disabilities named in this constitution) of the age of twenty-one years and upwards, who shall have actually, and not constructively, resided in the state six months, and in the district or county thirty days next preceding any election, shall be entitled to vote for all officers that now or hereafter may be elected by the people, and upon all questions submitted to the electors at such election; *provided*, that no person who has been or may be convicted of treason or felony in any state or territory of the United States, unless restored to civil rights, and no idiot or insane person shall be entitled to the privilege of an elector. There shall be no denial of the elective franchise at any election on account of sex.

[Amended by striking out the word *white* before the word *male*. Proposed

and passed at the eighth session of the legislature, January 15, 1877, Statutes of 1877, page 218; agreed to and passed at the ninth session of the legislature, January 27, 1879, Statutes of 1879, page 149, and approved and ratified by the people at the general election of 1880.]

[Amended by extending the right of suffrage to women. Proposed and passed at the twenty-fifth session of the legislature, March 18, 1911, Statutes of 1911, page 457; agreed to and passed at the twenty-sixth session of the legislature, January 31, 1913, Statutes of 1913, page 581, and approved and ratified by the people at the general election of 1914.]

SEC. 2. For the purpose of voting, no person shall be deemed to have gained or lost a residence by reason of his presence or absence while employed in the service of the United States, nor while engaged in the navigation of the waters of the United States or of the high seas; nor while a student of any seminary of learning; nor while kept at any almshouse or other asylum, at public expense; nor while confined in any public prison. Residence defined

SEC. 3. The right of suffrage shall be enjoyed by all persons, otherwise entitled to the same, who may be in the military or naval service of the United States; *provided*, the votes so cast shall be made to apply to the county and township of which said voters were bona fide residents at the time of their enlistment; *and provided further*, that the payment of a poll tax or a registration of such voters shall not be required as a condition to the right of voting. Provision shall be made by law regulating the manner of voting, holding elections, and making returns of such elections, wherein other provisions are not contained in this constitution. Soldiers and sailors may vote

SEC. 4. During the day on which any general election shall be held in this state, no qualified elector shall be arrested by virtue of any civil process. Civil process suspended

SEC. 5. All elections by the people shall be by ballot, and all elections by the legislature, or by either branch thereof, shall be "*viva voce*." Elections by ballot

SEC. 6. Provision shall be made by law for the registration of the names of the electors within the counties of which they may be residents, and for the ascertainment, by proper proofs, of the persons who shall be entitled to the right of suffrage, as hereby established, to preserve the purity of elections, and to regulate the manner of holding and making returns of the same; and the legislature shall have power to prescribe by law any other or further rules or oaths as may be deemed necessary as a test of electoral qualifications. Electors registered

SEC. 7. The legislature shall provide by law for the payment of an annual poll tax, of not less than two nor exceeding four dollars, from each male person resident in the state between the ages of twenty-one and sixty years (uncivilized American Indians excepted), to be expended for the maintenance and betterment of the public roads. Poll tax provided for

[As amended. Proposed and passed at the twenty-third session of the legislature, March 29, 1907, Statutes of 1907, page 450; agreed to and passed at the twenty-fourth session of the legislature, March 16, 1909, Statutes of 1909, page 344, and approved and ratified by the people at the general election of 1910.]

SEC. 8. All persons qualified by law to vote for representa-

Who may
vote on
constitution

tives to the general assembly of the Territory of Nevada, on the twenty-first day of March, A. D. eighteen hundred and sixty-four, and all other persons who may be lawful voters in said territory on the first Wednesday of September next following, shall be entitled to vote directly upon the question of adopting or rejecting this constitution.

Recall of
public officer

SEC. 9. Every public officer in the State of Nevada is subject, as herein provided, to recall from office by the qualified electors of the state, or of the county, district, or municipality, from which he was elected. For this purpose not less than twenty-five per cent (25%) of the qualified electors who vote in the state or in the county, district, or municipality electing said officer, at the preceding election, for justice of

Petition

the supreme court, shall file their petition in the manner herein provided, demanding his recall by the people; they shall set forth in said petition, in not exceeding two hundred (200) words, the reasons why said recall is demanded. If he shall offer his resignation it shall be accepted and take effect on the day it is offered, and the vacancy thereby caused shall be filled in the manner provided by law. If he shall not resign within five (5) days after the petition is filed, a special election shall be ordered to be held within twenty (20) days after the issuance of the call therefor, in the state or county, district, or municipality electing said officer, to determine whether the people will recall said officer. On

Special
election

Ballots, etc.

the ballot at said election shall be printed verbatim as set forth in the recall petition, the reasons for demanding the recall of said officer, and in not more than two hundred (200) words, the officer's justification of his course in office. He shall continue to perform the duties of his office until the result of said election shall be finally declared. Other candidates for the office may be nominated to be voted for at said special election. The candidate who shall receive the highest number of votes at said special election shall be deemed elected for the remainder of the term, whether it be the person against whom the recall petition was filed, or another. The recall petition shall be filed with the officer with whom the petition for nomination to such office shall be filed, and the same officer shall order the special election when it is required. No such petition shall be circulated or filed against any officer until he has actually held his office six (6) months, save and except that it may be filed against a senator or assemblyman in the legislature at any time after ten (10) days from the beginning of the first session after his election. After one such petition and special election, no further recall petition shall be filed against the same officer during the term for which he was elected, unless such further petitioners shall pay into the public treasury from which the expenses of said special election have been paid, the whole amount paid out of said public treasury as expenses for the

In case of
legislative
officer

preceding special election. Such additional legislation as may aid the operation of this section shall be provided by law.

[As amended. Proposed and passed at the twenty-fourth session of the legislature, March 22, 1909, Statutes of 1909, page 346; agreed to and passed at the twenty-fifth session, February 2, 1911, Statutes of 1911, page 448; approved and ratified by the people at the general election of 1912.]

ARTICLE III

DISTRIBUTION OF POWERS

SECTION 1. The powers of the government of the State of Nevada shall be divided into three separate departments—the legislative, the executive, and the judicial; and no person charged with the exercise of powers properly belonging to one of these departments shall exercise any functions appertaining to either of the others, except in the cases herein expressly directed or permitted.

Powers of government

ARTICLE IV

LEGISLATIVE DEPARTMENT

SECTION 1. The legislative authority of this state shall be vested in the senate and assembly, which shall be designated "The Legislature of the State of Nevada," and the sessions of such legislature shall be held at the seat of government of the state.

Legislative authority vested

SEC. 2. The sessions of the legislature shall be biennial, and shall commence on the *third* Monday of January next ensuing the election of members of the assembly, unless the governor of the state shall, in the interim, convene the legislature by proclamation.

To convene when

[Amended by changing *first* Monday to *third* Monday in January. Proposed and passed at the twelfth session of the legislature, February 23, 1885, Statutes of 1885, page 151; agreed to and passed at the thirteenth session of the legislature, March 3, 1887, Statutes of 1887, page 165, and approved and ratified by the people at a special election held February 11, 1889.]

SEC. 3. The members of the assembly shall be chosen biennially by the qualified electors of their respective districts, on the Tuesday next after the first Monday in November, and their term of office shall be two years from the day next after their election.

Assembly-men chosen

SEC. 4. Senators shall be chosen at the same time and places as members of the assembly, by the qualified electors of their respective districts, and their term of office shall be four years from the day next after their election.

Senators chosen

SEC. 5. Senators and members of the assembly shall be duly qualified electors in the respective counties and districts which they represent, and the number of senators shall not be less than one-third nor more than one-half of that of the members of the assembly.

Who eligible

SEC. 6. Each house shall judge of the qualifications, elections, and returns of its own members, choose its own officers (except the president of the senate), determine the rules of its proceedings, and may punish its members for disorderly

Powers of each

conduct, and, with the concurrence of two-thirds of all the members elected, expel a member.

SEC. 7. Either house, during the session, may punish, by imprisonment, any person, not a member, who shall have been guilty of disrespect to the house by disorderly or contemptuous behavior in its presence; but such imprisonment shall not extend beyond the final adjournment of the session.

Members
not to be
beneficiaries

SEC. 8. No senator or member of the assembly shall, during the term for which he shall have been elected, nor for one year thereafter, be appointed to any civil office of profit under this state which shall have been created, or the emoluments of which shall have been increased, during such term, except such office as may be filled by election by the people.

Persons not
eligible, when

SEC. 9. No person holding any lucrative office under the government of the United States, or any other power, shall be eligible to any civil office of profit under this state; *provided*, that postmasters whose compensation does not exceed five hundred dollars per annum, or commissioners of deeds, shall not be deemed as holding a lucrative office.

Disqualified
from office
holding

SEC. 10. Any person who shall be convicted of the embezzlement or defalcation of the public funds of this state, or who may be convicted of having given or offered a bribe to procure his election or appointment to office, or received a bribe to aid in the procurement of office for any other person, shall be disqualified from holding any office of profit or trust in this state. And the legislature shall, as soon as practicable, provide by law for the punishment of such defalcation, bribery, or embezzlement as a felony.

Members
exempt from
civil process
during
session of
legislature

SEC. 11. Members of the legislature shall be privileged from arrest on civil process during the session of the legislature, and for fifteen days next before the commencement of each session.

SEC. 12. When vacancies occur in either house, the governor shall issue writs of election to fill such vacancy.

Rules
relating to
legislative
procedure

SEC. 13. A majority of all the members elected to each house shall constitute a quorum to transact business, but a smaller number may adjourn, from day to day, and may compel the attendance of absent members in such manner and under such penalties as each house may prescribe.

SEC. 14. Each house shall keep a journal of its own proceedings, which shall be published, and the yeas and nays of the members of either house, on any question, shall at the desire of any three members present, be entered on the journal.

SEC. 15. The doors of each house shall be kept open during its session, except the senate while sitting in executive session, and neither shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which they may be holding their sessions.

SEC. 16. Any bill may originate in either house of the legislature, and all bills passed by one may be amended in the other. Rules relating to legislative procedure

SEC. 17. Each law enacted by the legislature shall embrace but one subject, and matters properly connected therewith, which subject shall be briefly expressed in the title; and no law shall be revised or amended by reference to its title only; but, in such case, the act as revised, or section as amended, shall be reenacted and published at length.

SEC. 18. Every bill shall be read by sections on three several days in each house, unless, in case of emergency, two-thirds of the house where such bill may be pending shall deem it expedient to dispense with this rule; but the reading of a bill by sections, on its final passage, shall in no case be dispensed with, and the vote on the final passage of every bill or joint resolution shall be taken by yeas and nays, to be entered on the journals of each house; and a majority of all the members elected to each house shall be necessary to pass every bill or joint resolution, and all bills or joint resolutions so passed shall be signed by the presiding officers of the respective houses, and by the secretary of the senate and clerk of the assembly.

SEC. 19. No money shall be drawn from the treasury but in consequence of appropriations made by law. An accurate statement of the receipts and expenditures of the public money shall be attached to and published with the laws at every regular session of the legislature. Public moneys, how disbursed and accounted for

SEC. 20. The legislature shall not pass local or special laws in any of the following enumerated cases—that is to say: Regulating the jurisdiction and duties of the justices of the peace and of constables; for the punishment of crimes and misdemeanors; regulating the practice of courts of justice; providing for changing the venue in civil and criminal cases; granting divorces; changing the names of persons; vacating roads, town plots, streets, alleys, and public squares; summoning and impaneling grand and petit juries, and providing for their compensation; regulating county and township business; regulating the election of county and township officers; for the assessment and collection of taxes for state, county, and township purposes; providing for opening and conducting elections of state, county, and township officers, and designating the places of voting; providing for the sale of real estate or personal property belonging to minors or other persons under legal disabilities; giving effect to invalid deeds, wills, or other instruments; refunding money paid into the state treasury, or into the treasury of any county; releasing the indebtedness, liability, or obligation of any corporation, association, or person to the state, or to any county, town, or city of this state. But nothing in this section shall be construed to deny or restrict the power of the legislature to Legislative powers restricted

establish and regulate the compensation and fees of county and township officers; to establish and regulate the rates of freight, passage, toll, and charges of railroads, toll roads, ditch, flume, and tunnel companies incorporated under the laws of this state or doing business therein.

[As amended. Proposed and passed at the twelfth session of the legislature, February 23, 1885, Statutes of 1885, page 152; agreed to and passed at the thirteenth session of the legislature, March 8, 1887, Statutes of 1887, page 166, and approved and ratified by the people at a special election held February 11, 1889.]

Laws
general and
uniform

SEC. 21. In all cases enumerated in the preceding section, and in all other cases where a general law can be made applicable, all laws shall be general and of uniform operation throughout the state.

Suit may
be brought
against the
state

SEC. 22. Provision may be made by general law for bringing suit against the state as to all liabilities originating after the adoption of this constitution.

SEC. 23. The enacting clause of every law shall be as follows: "The People of the State of Nevada, represented in Senate and Assembly, do enact as follows," and no law shall be enacted except by bill.

Lottery
inhibited

SEC. 24. No lottery shall be authorized by this state, nor shall the sale of lottery tickets be allowed.

County
government

SEC. 25. The legislature shall establish a system of county and township government, which shall be uniform throughout the state.

SEC. 26. The legislature shall provide by law for the election of a board of county commissioners in each county, and such county commissioners shall, jointly and individually, perform such duties as may be prescribed by law.

Who may be
excused
from juries

SEC. 27. Laws shall be made to exclude from serving on juries all persons not qualified electors of the state, and all persons who shall have been convicted of bribery, perjury, forgery, larceny, or other high crimes, unless restored to civil rights; and laws shall be passed regulating elections, and prohibiting, under adequate penalties, all undue influence thereon from power, bribery, tumult, or other improper practice.

Compensation
fixed
by law

SEC. 28. No money shall be drawn from the state treasury as salary or compensation to any officer or employee of the legislature, or either branch thereof, except in cases where such salary or compensation has been fixed by a law in force prior to the election or appointment of such officer or employee, and the salary or compensation so fixed shall neither be increased nor diminished so as to apply to any officer or employee of the legislature, or either branch thereof, at such session; *provided*, that this restriction shall not apply to the first session of the legislature.

Legislative
session
limited

SEC. 29. The first regular session of the legislature under this constitution may extend to ninety days, but no subsequent regular session shall exceed sixty days, nor any special session convened by the governor exceed twenty days.

SEC. 30. A homestead, as provided by law, shall be exempt from forced sale under any process of law, and shall not be alienated without the joint consent of husband and wife when that relation exists; but no property shall be exempt from sale for taxes or for the payment of obligations contracted for the purchase of said premises, or for the erection of improvements thereon; *provided*, the provisions of this section shall not apply to any process of law obtained by virtue of a lien given by the consent of both husband and wife, and laws shall be enacted providing for the recording of such homestead within the county in which the same shall be situated.

Homestead
exempt from
forced sale

SEC. 31. All property, both real and personal, of the wife, owned or claimed by her before marriage, and that acquired afterward by gift, devise, or descent, shall be her separate property; and laws shall be passed more clearly defining the rights of the wife in relation, as well to her separate property as to that held in common with her husband. Laws shall also be passed providing for the registration of the wife's separate property.

Separate
property of
wife

SEC. 32. The legislature shall have power to increase, diminish consolidate, or abolish the following county officers: County clerks, county recorders, auditors, sheriffs, district attorneys, county surveyors, public administrators, and superintendents of schools. The legislature shall provide for their election by the people, and fix by law their duties and compensation. County clerks shall be *ex officio* clerks of the courts of record and of the boards of county commissioners in and for their respective counties.

Power of
legislature
over county
officers

[As amended. Proposed and passed at the thirteenth session of the legislature, March 8, 1887, Statutes of 1887, page 161; agreed to and passed at the fourteenth session of the legislature, January 17, 1889, Statutes of 1889, page 151, and approved and ratified by the people at a special election held February 11, 1889.]

SEC. 33. The members of the legislature shall receive for their services a compensation to be fixed by law, and paid out of the public treasury; but no increase of such compensation shall take effect during the term for which the members of either house shall have been elected; *provided*, that an appropriation may be made for the payment of such actual expenses as members of the legislature may incur for postage, express charges, newspapers and stationery, not exceeding the sum of sixty dollars for any general or special session, to each member; and *furthermore provided*, that the speaker of the assembly, and lieutenant-governor, as president of the senate, shall each, during the time of their actual attendance as such presiding officers, receive an additional allowance of two dollars per diem.

Compensation of
legislators

SEC. 34. In all elections for United States senators, such elections shall be held in joint convention of both houses of the legislature. It shall be the duty of the legislature which convenes next preceding the expiration of the term of such

Election of
United
States
senators

senator, to elect his successor. If a vacancy in such senatorial representation from any cause occur, it shall be the duty of the legislature then in session, or at the succeeding session thereof, to supply such vacancy. If the legislature shall, at any time, as herein provided, fail to unite in a joint convention within twenty days after the commencement of the session of the legislature for the election [of] such senator, it shall be the duty of the governor, by proclamation, to convene the two houses of the legislature in joint convention within not less than five days, nor exceeding ten days, from the publication of his proclamation, and the joint convention when so assembled shall proceed to elect the senator as herein provided. [*See U. S. Constitution, 17th amendment.*]

Executive
action on
bills

May become
law after
veto

SEC. 35. Every bill which may have passed the legislature shall, before it becomes a law, be presented to the governor. If he approve, he shall sign it; but if not, he shall return it with his objections, to the house in which it originated, which house shall cause such objections to be entered upon its journal, and proceed to reconsider it; if, after such reconsideration, it again pass both houses, by yeas and nays, by a vote of two-thirds of the members elected to each house, it shall become a law, notwithstanding the governor's objections. If any bill shall not be returned within five days after it shall have been presented to him (Sundays excepted), exclusive of the day on which he received it, the same shall be a law in like manner as if he had signed it, unless the legislature, by its final adjournment, prevent such return, in which case it shall be a law, unless the governor, within ten days next after the adjournment (Sundays excepted), shall file such bill, with his objections thereto, in the office of the secretary of state, who shall lay the same before the legislature at its next session, in like manner as if it had been returned by the governor; and if the same shall receive the vote of two thirds of the members elected to each branch of the legislature, upon a vote taken by yeas and nays, to be entered upon the journals of each house, it shall become a law.

ARTICLE V

EXECUTIVE DEPARTMENT

Executive
power vested

SECTION 1. The supreme executive power of the state shall be vested in a chief magistrate, who shall be governor of the State of Nevada.

Governor
elected

SEC. 2. The governor shall be elected by the qualified electors at the time, and places of voting for members of the legislature, and shall hold his office for four years from the time of his installation, and until his successor shall be qualified.

Who eligible
to office of
governor

SEC. 3. No person shall be eligible to the office of governor who is not a qualified elector, and who, at the time of such election, has not attained the age of twenty-five years, and

who, except at the first election under this constitution, shall not have been a citizen resident of this state for two years next preceding the election.

SEC. 4. The returns of every election for governor, and other state officers voted for at the general election, shall be sealed up and transmitted to the seat of government, directed to the secretary of state, and on the third Monday of December succeeding such election, the chief justice of the supreme court, and the associate justices, or a majority thereof, shall meet at the office of the secretary of state, and open and canvass the election returns for governor and all other state officers, and forthwith declare the result and publish the names of the persons elected. The persons having the highest number of votes for the respective offices shall be declared elected, but in case any two or more have an equal and the highest number of votes for the same office, the legislature shall, by joint vote of both houses, elect one of said persons to fill said office.

Disposition
of election
returns

SEC. 5. The governor shall be commander-in-chief of the military forces of this state, except when they shall be called into the service of the United States.

Military
authority of
governor

SEC. 6. He shall transact all executive business with the officers of the government, civil and military, and may require information in writing from the officers of the executive department upon any subject relating to the duties of their respective offices.

Duties of
governor

SEC. 7. He shall see that the laws are faithfully executed.

SEC. 8. When any office shall, from any cause, become vacant, and no mode is provided by the constitution and laws for filling such vacancy, the governor shall have the power to fill such vacancy by granting a commission which shall expire at the next election and qualification of the person elected to such office.

May fill
vacancies

SEC. 9. The governor may, on extraordinary occasions, convene the legislature by proclamation, and state to both houses, when organized, the purpose for which they have been convened, and the legislature shall transact no legislative business except that for which they were especially convened, or such other legislative business as the governor may call to the attention of the legislature while in session.

May convene
legislature

SEC. 10. He shall communicate by message to the legislature at every regular session the condition of the state, and recommend such measures as he may deem expedient.

Message to
legislature

SEC. 11. In case of a disagreement between the two houses, with respect to the time of adjournment, the governor shall have power to adjourn the legislature to such time as he may think proper; *provided*, it be not beyond the time fixed for the meeting of the next legislature.

May adjourn
legislature

SEC. 12. No person shall while holding any office under

Certain
person
ineligible

the United States government hold the office of governor, except as herein expressly provided.

Duties of
governor as
to fines and
forfeitures

SEC. 13. The governor shall have the power to suspend the collection of fines and forfeitures, and grant reprieves for a period not exceeding sixty days dating from the time of conviction, for all offenses, except in cases of impeachment. Upon conviction for treason, he shall have power to suspend the execution of the sentence until the case shall be reported to the legislature at its next meeting, when the legislature shall either pardon, direct the execution of the sentence, or grant a further reprieve. And if the legislature shall fail or refuse to make final disposition of such case, the sentence shall be enforced at such time and place as the governor by his order may direct. The governor shall communicate to the legislature, at the beginning of every session, every case of fine or forfeiture remitted, or reprieve, pardon, or commutation granted, stating the name of the convict, the crime of which he was convicted, the sentence, its date, and the date of the remission, commutation, pardon, or reprieve.

Personnel of
the board of
pardons

SEC. 14. The governor, justices of the supreme court and attorney-general, or a major part of them, of whom the governor shall be one, may, upon such conditions and with such limitations and restrictions as they may think proper, remit fines and forfeitures, commute punishments, and grant pardons, after convictions, in all cases, except treason and impeachments, subject to such regulations as may be provided by law relative to the manner of applying for pardons.

Seal of state

SEC. 15. There shall be a seal of this state, which shall be kept by the governor, and used by him officially, and shall be called "The Great Seal of the State of Nevada."

Grants in
name of
state

SEC. 16. All grants and commissions shall be in the name and by the authority of the State of Nevada, sealed with the great seal of the state, signed by the governor and countersigned by the secretary of state.

Election and
duties of
lieutenant-
governor

SEC. 17. A lieutenant-governor shall be elected at the same time and places, and in the same manner as the governor, and his term of office and his eligibility shall also be the same. He shall be president of the senate, but shall only have a casting vote therein. If, during a vacancy of the office of governor, the lieutenant-governor shall be impeached, displaced, resign, die, or become incapable of performing the duties of the office, or be absent from the state, the president pro tempore of the senate shall act as governor until the vacancy be filled or the disability cease.

Lieutenant-
governor to
succeed
governor

SEC. 18. In case of the impeachment of the governor, or his removal from office, death, inability to discharge the duties of the said office, resignation or absence from the state, the powers and duties of the office shall devolve upon the lieutenant-governor for the residue of the term, or until the disability shall cease. But when the governor shall, with

the consent of the legislature, be out of the state in time of war, and at the head of any military force thereof, he shall continue commander-in-chief of the military forces of the state.

SEC. 19. A secretary of state, a treasurer, a controller, a surveyor-general, and an attorney-general, shall be elected at the same time and places, and in the same manner as the governor. The term of office of each shall be the same as is prescribed for the governor. Any elector shall be eligible to either of said offices.

State
officers,
terms of
office

SEC. 20. The secretary of state shall keep a true record of the official acts of the legislative and executive departments of the government, and shall, when required, lay the same, and all matters relative thereto, before either branch of the legislature.

Duties of
secretary
of state

SEC. 21. The governor, secretary of state, and attorney-general shall constitute a board of state prison commissioners, which board shall have such supervision of all matters connected with the state prison as may be provided by law. They shall also constitute a board of examiners, with power to examine all claims against the state (except salaries or compensation of officers fixed by law), and perform such other duties as may be prescribed by law, and no claim against the state (except salaries or compensation of officers fixed by law) shall be passed upon by the legislature without having been considered and acted upon by said board of examiners.

Personnel of
board of
state prison
commissioners
and
board of
examiners

SEC. 22. The secretary of state, state treasurer, state controller, surveyor-general, attorney-general, and superintendent of public instruction shall perform such other duties as may be prescribed by law.

ARTICLE VI

JUDICIAL DEPARTMENT

SECTION 1. The judicial power of this state shall be vested in a supreme court, district courts, and in justices of the peace. The legislature may also establish courts, for municipal purposes only, in incorporated cities and towns.

Judicial
power vested

SEC. 2. The supreme court shall consist of a chief justice and two associate justices, a majority of whom shall constitute a quorum; *provided*, that the legislature, by a majority of all the members elected to each branch thereof, may provide for the election of two additional associate justices, and if so increased three shall constitute a quorum. The concurrence of a majority of the whole court shall be necessary to render a decision.

Supreme
court, how
constituted

SEC. 3. The justices of the supreme court shall be elected by the qualified electors of the state at the general election, and shall hold office for a term of six years from and including the first Monday of January next succeeding their elec-

Election of
justices of

Proviso

tion; *provided*, that there shall be elected, at the first election under this constitution, three justices of the supreme court, who shall hold office from and including the first Monday of December, A. D. eighteen hundred and sixty-four, and continue in office thereafter two, four, and six years, respectively, from and including the first Monday of January next succeeding their election. They shall meet as soon as practicable after their election and qualification, and at their first meeting shall determine, by lot, the term of office each shall fill, and the justice drawing the shortest term shall be chief justice, and after the expiration of his term, the one having the next shortest term shall be chief justice, after which the senior justice in commission shall be chief justice, and in case the commission of any two or more of said justices shall bear the same date, they shall determine by lot who shall be chief justice.

Rank of
justices

Jurisdiction
and
powers of

SEC. 4. The supreme court shall have appellate jurisdiction in all cases in equity; also, in all cases at law in which is involved the title or right of possession to, or the possession of, real estate or mining claims, or the legality of any tax, impost, assessment, toll or municipal fine, or in which the demand (exclusive of interest) or the value of the property in controversy exceeds three hundred dollars; also, in all other civil cases not included in the general subdivisions of law and equity, and also on questions of law alone in all criminal cases in which the offense charged amounts to felony. The court shall also have power to issue writs of *mandamus*, *certiorari*, prohibition, *quo warranto* and *habeas corpus*, and also all writs necessary or proper to the complete exercise of its appellate jurisdiction. Each of the justices shall have power to issue writs of *habeas corpus* to any part of the state upon petition by, or on behalf of, any person held in actual custody, and may make such writs returnable before himself or the supreme court, or before any district court in the state, or before any judge of said courts.

State divided
into judicial
districts

SEC. 5. The state is hereby divided into nine judicial districts, of which the county of Storey shall constitute the first; the county of Ormsby the second; the county of Lyon the third; the county of Washoe the fourth; the counties of Nye and Churchill the fifth; the county of Humboldt the sixth; the county of Lander the seventh; the county of Douglas the eighth, and the county of Esmeralda the ninth. The county of Roop shall be attached to the county of Washoe for judicial purposes, until otherwise provided by law. The legislature may, however, provide by law for an alteration in the boundaries or divisions of the districts herein prescribed, and also for increasing or diminishing the number of the judicial districts and judges therein. But no such change shall take effect, except in case of a vacancy, or the expiration of the term of an incumbent of the office. At

the first general election under this constitution, there shall be elected in each of the respective districts (except as in this section hereafter otherwise provided) one district judge, who shall hold office from and including the first Monday of December, A. D. eighteen hundred and sixty-four, and until the first Monday of January, in the year eighteen hundred and sixty-seven. After the first said election, there shall be elected at the general election which immediately precedes the expiration of the term of his predecessor, one district judge in each of the respective judicial districts (except in the first district as in this section hereinafter provided). The district judges shall be elected by the qualified electors of their respective districts, and shall hold office for the term of four years (excepting those elected at said first election) from and including the first Monday of January next succeeding their election and qualification; *provided*, that the first judicial district shall be entitled to, and shall have three district judges, who shall possess coextensive and concurrent jurisdiction, and who shall be elected at the same times, in the same manner, and shall hold office for the like terms as herein prescribed in relation to the judges in other judicial districts. Any one of said judges may preside on the empaneling of grand juries, and the presentment and trial on indictments, under such rules and regulations as may be prescribed by law.

State divided
into judicial
districts

Manner of
electing
judges

SEC. 6. The district courts in the several judicial districts of this state shall have original jurisdiction in all cases in equity; also, in all cases at law which involve the title or the right of possession to, or the possession of, real property or mining claims, or the legality of any tax, impost, assessment, toll or municipal fine, and in all other cases in which the demand (exclusive of interest) or the value of the property in controversy exceeds three hundred dollars; also, in all cases relating to the estates of deceased persons, and the persons and estates of minors and insane persons; and of the action of forcible entry and unlawful detainer; and also in all criminal cases not otherwise provided for by law; they shall also have appellate jurisdiction in cases arising in justices courts and such other inferior tribunals as may be established by law. The districts courts and the judges thereof shall have power to issue writs of *mandamus*, injunction, *quo warranto*, *certiorari*, and all other writs proper and necessary to the complete exercise of their jurisdiction; and also shall have power to issue writs of *habeas corpus* on petition by, or in behalf of, any person held in actual custody in their respective districts.

Jurisdiction
of district
courts

SEC. 7. The times of holding the supreme court and district courts shall be as fixed by law. The terms of the supreme court shall be held at the seat of government; and the terms of the district courts shall be held at the county-seats

Times of
holding
court fixed
by law

of their respective counties; *provided*, that in case any county shall be hereafter divided into two or more districts, the legislature may by law designate the places of holding courts in any such districts.

Jurisdiction
of justice
courts

SEC. 8. The legislature shall determine the number of justices of the peace to be elected in each city and township of the state, and shall fix, by law, their powers, duties, and responsibilities; *provided*, that such justice courts shall not have jurisdiction of the following cases, viz: First—Of cases in which the matter in dispute is a money demand or personal property, and the amount of the demand (exclusive of interest) or the value of the property exceeds three hundred dollars. Second—Of cases wherein the title to real estate or mining claims, or questions of boundaries to land, is or may be involved; or of cases that in any manner shall conflict with the jurisdiction of the several courts of record in this state; and *provided further*, that justices courts shall have such criminal jurisdiction as may be prescribed by law; and the legislature may confer upon said courts jurisdiction concurrent with the district courts, of actions to enforce mechanics' liens wherein the amount (exclusive of interest) does not exceed three hundred dollars; and also of actions for the possession of lands and tenements, where the relation of landlord and tenant exists, or when such possession has been unlawfully or fraudulently obtained or withheld. The legislature shall also prescribe by law the manner and determine the cases in which appeals may be taken from justices and other courts. The supreme court, the district court, and such other courts as the legislature shall designate, shall be courts of record.

Possible
municipal
courts

SEC. 9. Provision shall be made by law prescribing the powers, duties, and responsibilities of any municipal court that may be established in pursuance of section one of this article; and also fixing by law the jurisdiction of said court, so as not to conflict with that of the several courts of record.

SEC. 10. No judicial officer, except justices of the peace and city recorders, shall receive to his own use any fees or perquisites of office.

Eligibility
to office
limited

SEC. 11. The justices of the supreme court and the district judges shall be ineligible to any office, other than a judicial office, during the term for which they shall have been elected; and all elections or appointments of any such judges by the people, legislature, or otherwise, during said period, to any office other than judicial, shall be void.

SEC. 12. Judges shall not charge juries in respect to matters of fact, but may state the testimony and declare the law.

Matters of
practice

SEC. 13. The style of all process shall be "The State of Nevada," and all prosecutions shall be conducted in the name and by the authority of the same.

SEC. 14. There shall be but one form of civil action, and law and equity may be administered in the same action.

SEC. 15. The justices of the supreme court and district judges shall each receive quarterly for their services a compensation to be fixed by law, and which shall not be increased or diminished during the term for which they shall have been elected, unless in case a vacancy occurs, in which case the successor of the former incumbent shall receive only such salary as may be provided by law at the time of his election or appointment; and provision shall be made by law for setting apart from each year's revenue a sufficient amount of money to pay such compensation; *provided*, that district judges shall be paid out of the county treasuries of the counties composing their respective districts.

Com-
pensation
of judicial
officers

SEC. 16. The legislature at its first session, and from time to time thereafter, shall provide by law that upon the institution of each civil action and other proceedings, and also upon the perfecting of an appeal in any civil action or proceeding in the several courts of record in this state, a special court fee or tax shall be advanced to the clerks of said courts, respectively, by the party or parties bringing such action or proceeding, or taking such appeal; and the money so paid in shall be accounted for by such clerks, and applied towards the payment of the compensation of the judges of said courts, as shall be directed by law.

Relating to
court fees

SEC. 17. The legislature shall have no power to grant leave of absence to a judicial officer, and any such officer who shall absent himself from the state for more than ninety consecutive days shall be deemed to have vacated his office.

Leaves of
absence of
judicial
officers
limited

SEC. 18. No judicial officer shall be superseded, nor shall the organization of the several courts of the Territory of Nevada be changed until the election and qualification of the several officers provided for in this article.

ARTICLE VII

IMPEACHMENT AND REMOVAL FROM OFFICE

SECTION 1. The assembly shall have the sole power of impeaching. The concurrence of a majority of all the members elected shall be necessary to an impeachment. All impeachments shall be tried by the senate, and, when sitting for that purpose, the senators shall be upon oath or affirmation to do justice according to law and evidence. The chief justice of the supreme court shall preside over the senate while sitting to try the governor or lieutenant-governor upon impeachment. No person shall be convicted without the concurrence of two-thirds of the senators elected.

Powers of
impeach-
ment
conferred

SEC. 2. The governor and the other state and judicial officers, except justices of the peace, shall be liable to impeachment for misdemeanor or malfeasance in office; but judgment

Who may be
impeached

in such case shall not extend further than removal from office, and disqualification to hold any office of honor, profit, or trust, under this state. The party, whether convicted or acquitted, shall nevertheless be liable to indictment, trial, judgment, and punishment according to law.

Judicial
officers, how
impeached

SEC. 3. For any reasonable cause, to be entered on the journals of each house, which may or may not be sufficient grounds for impeachment, the chief justice and associate justices of the supreme court and judges of the district courts shall be removed from office on the vote of two-thirds of the members elected to each branch of the legislature, and the justices or judge complained of shall be served with a copy of the complaint against him, and shall have an opportunity of being heard in person, or by counsel, in his defense; *provided*, that no member of either branch of the legislature shall be eligible to fill the vacancy occasioned by such removal.

SEC. 4. Provision shall be made by law for the removal from office of any civil officer other than those in this article previously specified, for malfeasance or nonfeasance in the performance of his duties.

ARTICLE VIII

MUNICIPAL AND OTHER CORPORATIONS

SECTION 1. The legislature shall pass no special act in any matter relating to corporate powers except for municipal purposes; but corporations may be formed under general laws, and all such laws may, from time to time, be altered or repealed.

Property of
corporations
taxed

SEC. 2. All real property and possessory rights to the same, as well as personal property in this state, belonging to corporations now existing or hereafter created, shall be subject to taxation the same as property of individuals; *provided*, that the property of corporations formed for municipal, charitable, religious, or educational purposes may be exempted by law.

SEC. 3. Dues from corporations shall be secured by such means as may be prescribed by law; *provided*, that corporations in corporations formed under the laws of this state shall not be individually liable for the debts or liabilities of such corporation.

SEC. 4. Corporations created by or under the laws of the Territory of Nevada shall be subject to the provisions of such laws until the legislature shall pass laws regulating the same, in pursuance of the provisions of this constitution.

SEC. 5. Corporations may sue and be sued in all courts, in like manner as individuals.

Certain
paper money
interdicted

SEC. 6. No bank-notes or paper of any kind shall ever be permitted to circulate as money in this state, except the federal currency and the notes of banks authorized under the laws of Congress.

SEC. 7. No right of way shall be appropriated to the use of any corporation until full compensation be first made or secured therefor.

SEC. 8. The legislature shall provide for the organization of cities and towns by general laws, and restrict their power of taxation, assessment, borrowing money, contracting debts, and loaning their credit, except for procuring supplies of water. Credit of cities and towns limited

SEC. 9. The state shall not donate or loan money or its credit, subscribe to or be interested in the stock of any company, association, or corporation, except corporations formed for educational and charitable purposes. State forbidden to speculate

SEC. 10. No county, city, town, or other municipal corporation shall become a stockholder in any joint-stock company, corporation, or association whatever, or loan its credit in aid of any such company, corporation, or association, except railroad corporations, companies, or associations. Limitation of county indebtedness

ARTICLE IX

FINANCE AND STATE DEBT

SECTION 1. The fiscal year shall commence on the first day of January of each year.

SEC. 2. The legislature shall provide by law for an annual tax sufficient to defray the estimated expenses of the state for each fiscal year; and whenever the expenses of any year shall exceed the income, the legislature shall provide for levying a tax sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses of such ensuing year or two years.

SEC. 3. The state may contract public debts; but such debts shall never, in the aggregate, exclusive of interest, exceed the sum of one per cent of the assessed valuation of the state, as shown by the reports of the county assessors to the state controller, except for the purpose of defraying extraordinary expenses, as hereinafter mentioned. Every such debt shall be authorized by law for some purpose or purposes, to be distinctly specified therein; and every such law shall provide for levying an annual tax sufficient to pay the interest semi-annually, and the principal within twenty years from the passage of such law, and shall specially appropriate the proceeds of said taxes to the payment of said principal and interest; and such appropriation shall not be repealed, nor the taxes postponed or diminished until the principal and interest of said debts shall have been wholly paid. Every contract of indebtedness entered into or assumed by or on behalf of the state, when all its debts and liabilities amount to said sum before mentioned, shall be void and of no effect, except in cases of money borrowed to repel invasion, suppress insurrection, defend the state in time of war, or, if hostilities be threatened, provide for the public defense. State to borrow, limited
Limit raised, when

[As amended. Proposed and passed at the twenty-sixth session of the legisla-

ture, March 14, 1913, Statutes of 1913, page 585; agreed to and passed at the twenty-seventh session, February 8, 1915, Statutes of 1915, page 516; approved and ratified by the people at the general election of 1916.]

SEC. 4. The state shall never assume the debts of any county, town, city, or other corporation whatever, unless such debts have been created to repel invasion, suppress insurrection, or to provide for the public defense.

ARTICLE X

TAXATION

Taxation

SECTION 1. The legislature shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, real, personal, and possessory, except mines and mining claims, when not patented, the proceeds alone of which shall be assessed and taxed, and when patented, each patented mine shall be assessed at not less than five hundred dollars (\$500), except when one hundred dollars (\$100) in labor has been actually performed on such patented mine during the year, in addition to the tax upon the net proceeds, and also, excepting such property as may be exempted by law for municipal, educational, literary, scientific, or other charitable purposes.

[As amended. Proposed and passed by the twenty-first session of the Nevada legislature, March 16, 1903, Statutes of 1903, page 240; passed and agreed to by the twenty-second session of the Nevada legislature, March 3, 1905, Statutes of 1905, page 277; and approved and ratified by the people at the general election of 1906.]

ARTICLE XI

EDUCATION

Education encouraged

SECTION 1. The legislature shall encourage by all suitable means the promotion of intellectual, literary, scientific, mining, mechanical, agricultural, and moral improvements, and also provide for the election by the people, at the general election, of a superintendent of public instruction, whose term of office shall be two years from the first Monday of January, A. D. eighteen hundred and sixty-five, and until the election and the qualification of his successor, and whose duties shall be prescribed by law.

Public schools fostered

SEC. 2. The legislature shall provide for a uniform system of common schools, by which a school shall be established and maintained in each school district at least six months in every year; and any school district neglecting to establish and maintain such a school, or which shall allow instruction of a sectarian character therein, may be deprived of its proportion of the interest of the public school fund during such neglect or infraction; and the legislature may pass such laws as will tend to secure a general attendance of the children in each school district upon said public schools.

SEC. 3. All lands, including the sixteenth and thirty-sixth sections in any township donated for the benefit of public

schools in the act of the thirty-eighth Congress, to enable the people of Nevada Territory to form a state government, the thirty thousand acres of public lands granted by an act of Congress, approved July second, A. D. eighteen hundred and sixty-two, for each senator and representative in Congress, and all proceeds of lands that have been or may hereafter, be granted or appropriated by the United States to this state, and also the five hundred thousand acres of land granted to the new states under the act of Congress distributing the proceeds of the public lands among the several states of the Union, approved A. D. eighteen hundred and forty-one; *provided*, that Congress make provision for or authorize such diversion to be made for the purpose herein contained; all estates that may escheat to the state; all of such per centum as may be granted by Congress on the sale of lands; all fines collected under the penal laws of the state; all property given or bequeathed to the state for educational purposes, and all proceeds derived from any or all of said sources shall be and the same are hereby solemnly pledged for educational purposes, and shall not be transferred to any other funds for other uses; and the interest thereon shall, from time to time, be apportioned among the several counties as the legislature may provide by law; and the legislature shall provide for the sale of floating land warrants to cover the aforesaid lands, and for the investment of all proceeds derived from any of the above-mentioned sources, in United States bonds, or the bonds of this state, or the bonds of other states of the Union, or the bonds of any county in the State of Nevada, or in loans at a rate of interest of not less than six per cent per annum, secured by mortgage on agricultural lands in this state of not less than three times the value of the amount loaned, exclusive of perishable improvements, of unexceptional title and free from all encumbrances, said loans to be under such further restrictions and regulations as may be provided by law; *provided*, that the interest only of the aforesaid proceeds shall be used for educational purposes, and any surplus interest shall be added to the principal sum; *and provided further*, that such portion of said interest as may be necessary may be appropriated for the support of the state university.

Lands and funds dedicated to support of

All of certain revenue for educational purposes

[As amended. Proposed and passed at the twenty-fourth session of the legislature, March 3, 1909, Statutes of 1909, page 340; agreed to and passed at the twenty-fifth session of the legislature, February 14, 1911, Statutes of 1911, page 468, and approved and ratified by the people at the general election of 1912.]

[As amended. Proposed and passed at the twenty-sixth session of the legislature, March 26, 1913, Statutes of 1913, page 591; agreed to and passed at the twenty-seventh session of the legislature, February 4, 1915, Statutes of 1915, page 518, and approved and ratified by the people at the general election of 1916.]

SEC. 4. The legislature shall provide for the establishment of a state university, which shall embrace departments for agriculture, mechanic arts and mining, to be controlled by a board of regents, whose duties shall be prescribed by law.

State university

SEC. 5. The legislature shall have power to establish normal schools, and such different grades of schools, from the

Normal school

primary department to the university, as in their discretion they may deem necessary, and all professors in said university, or teachers in said schools, of whatever grade, shall be required to take and subscribe to the oath as prescribed in article XV of this constitution. No professor or teacher who fails to comply with the provisions of any law framed in accordance with the provisions of this section shall be entitled to receive any portion of the public moneys set apart for school purposes.

Educational
special tax

SEC. 6. The legislature shall provide a special tax, which shall not exceed two mills on the dollar of all taxable property in the state, in addition to the other means provided for the support and maintenance of said university and common schools.

[As amended. Proposed and passed at the twelfth session of the legislature, February 25, 1885, Statutes of 1885, page 161; agreed to and passed at the thirteenth session, March 3, 1887, Statutes of 1887, page 169, and approved and ratified by the people at a special election held February 11, 1889.]

Board of
regents
constituted

SEC. 7. The governor, secretary of state, and superintendent of public instruction shall, for the first four years and until their successors are elected and qualified, constitute a board of regents, to control and manage the affairs of the university and the funds of the same, under such regulations as may be provided by law. But the legislature shall at its regular session next preceding the expiration of the term of office of said board of regents, provide for the election of a new board of regents, and define their duties.

Providing
for organiza-
tion of
university

SEC. 8. The board of regents shall, from the interest accruing from the first funds which come under their control, immediately organize and maintain the said mining department in such manner as to make it most effective and useful; *provided*, that all the proceeds of the public lands donated by act of Congress approved July second, A. D. eighteen hundred and sixty-two, for a college for the benefit of agriculture, the mechanic arts, and including military tactics, shall be invested by the said board of regents in a separate fund, to be appropriated exclusively for the benefit of the first-named departments to the university, as set forth in section four above; and the legislature shall provide that if, through neglect or any other contingency, any portion of the fund so set apart shall be lost or misappropriated, the State of Nevada shall replace said amount so lost or misappropriated in said fund, so that the principal of said fund shall remain forever undiminished.

SEC. 9. No sectarian instruction shall be imparted or tolerated in any school or university that may be established under this constitution.

SEC. 10. No public funds of any kind or character whatever, state, county, or municipal, shall be used for sectarian purposes.

[Section 10 was added to article XI by amendment. Proposed and passed at the

eighth session of the legislature, February 27, 1877, Statutes of 1877, page 221; agreed to and passed at the ninth session of the legislature, January 27, 1879, Statutes of 1879, page 149, and approved and ratified by the people at the general election of 1880.]

ARTICLE XII

MILITIA

SECTION 1. The legislature shall provide by law for organizing and disciplining the militia of this state, for the effectual encouragement of volunteer corps, and the safe keeping of the public arms. State militia

SEC. 2. The governor shall have power to call out the militia to execute the laws of the state, or to suppress insurrection or repel invasion.

ARTICLE XIII

PUBLIC INSTITUTIONS

SECTION 1. Institutions for the benefit of the insane, blind and deaf and dumb, and such other benevolent institutions as the public good may require, shall be fostered and supported by the state, subject to such regulations as may be prescribed by law. Sanitary and benevolent institutions fostered

SEC. 2. A state prison shall be established and maintained in such manner as may be prescribed by law; and provision may be made by law for the establishment and maintenance of a house of refuge for juvenile offenders. State prison

SEC. 3. The respective counties of the state shall provide, as may be prescribed by law, for those inhabitants who, by reason of age and infirmity, or misfortunes, may have claim upon the sympathy and aid of society. Relating to the indigent

ARTICLE XIV

BOUNDARY

SECTION 1. The boundary of the State of Nevada shall be as follows: Commencing at a point formed by the intersection of the thirty-eighth degree of longitude west from Washington with the thirty-seventh degree of north latitude; thence due west along said thirty-seventh degree of north latitude to the eastern boundary line of the State of California; thence in a northwesterly direction along said eastern boundary line of the State of California to the forty-third degree of longitude west from Washington; thence north along said forty-third degree of west longitude and said eastern boundary line of the State of California to the forty-second degree of north latitude; thence due east along the said forty-second degree of north latitude to a point formed by its intersection with the aforesaid thirty-eighth degree of longitude west from Washington; thence due south down said thirty-eighth degree of west longitude to the place of beginning. And whensoever Congress shall authorize the Boundaries of state

addition to the Territory or State of Nevada of any portion of the territory on the easterly border of the foregoing defined limits, not exceeding in extent one degree of longitude, the same shall thereupon be embraced within and become a part of this state. *And furthermore provided*, that all such territory lying west of and adjoining the boundary line herein prescribed, which the State of California may relinquish to the Territory or State of Nevada, shall thereupon be embraced within and constitute a part of this state.

ARTICLE XV

MISCELLANEOUS PROVISIONS

SECTION 1. The seat of government shall be at Carson City, but no appropriation for the erection or purchase of capitol buildings shall be made during the next three years.

SEC. 2. Members of the legislature, and all officers, executive, judicial, and ministerial, shall, before they enter upon the duties of their respective offices, take and subscribe to the following oath:

Official oath "I,....., do solemnly swear (or affirm) that I will support, protect and defend the constitution and government of the United States, and the constitution and government of the State of Nevada, against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance and loyalty to the same, any ordinance, resolution or law of any state notwithstanding, and that I will well and faithfully perform all the duties of the office of....., on which I am about to enter; (if an oath) so help me God; (if an affirmation) under the pains and penalties of perjury."

[Amended by striking out the following: "and, further, that I do this with a full determination, pledge and purpose, without any mental reservation or evasion whatsoever. And I do further solemnly swear (or affirm) that I have not fought a duel, nor sent or accepted a challenge to fight a duel, nor been a second to either party, nor in any manner aided or assisted in such duel; nor been knowingly the bearer of such challenge or acceptance, since the adoption of the constitution of the State of Nevada, and that I will not be so engaged or concerned, directly or indirectly, in or about any such duel during my continuance in office." Proposed and passed at the twenty-fifth session of the legislature, March 18, 1911, Statutes of 1911, page 458; agreed to and passed at the twenty-sixth session of the legislature, February 3, 1913, and approved and ratified by the people at the general election of 1914.]

SEC. 3. No person shall be eligible to any office who is not a qualified elector under this constitution. No person who, while a citizen of this state, has, since the adoption of this constitution, fought a duel with a deadly weapon, sent or accepted a challenge to fight a duel with a deadly weapon, either within or beyond the boundaries of this state, or who has acted as second, or knowingly conveyed a challenge, or aided or assisted in any manner in fighting a duel, shall be allowed to hold any office of honor, profit or trust; or enjoy the right of suffrage under this constitution. The legislature

shall provide by law for giving force and effect to the foregoing provisions of this section; *provided*, that females over the age of twenty-one years, who have resided in this state one year, and in the county and district six months next preceding any election to fill either of said offices, or the making of such appointment, shall be eligible to the office of superintendent of public instruction, deputy superintendent of public instruction, school trustee, and notary public.

Females eligible to certain offices

[As amended. Proposed and passed at the twenty-fourth session of the legislature, March 12, 1909, Statutes of 1909, page 349; agreed to and passed at the twenty-fifth session, February 21, 1911, Statutes of 1911, page 454; and approved and ratified by the people at the general election of 1912.]

SEC. 4. No perpetuities shall be allowed except for eleemosynary purposes.

Perpetuities

SEC. 5. The general election shall be held on the Tuesday next after the first Monday in November.

SEC. 6. The aggregate number of members of both branches of the legislature shall never exceed seventy-five.

Legislature limited

SEC. 7. All county officers shall hold their offices at the county-seat of their respective counties.

SEC. 8. The legislature shall provide for the speedy publication of all statute laws of a general nature, and such decisions of the supreme court as it may deem expedient; and all laws and judicial decisions shall be free for publication by any person; *provided*, that no judgment of the supreme court shall take effect and be operative until the opinion of the court in such case shall be filed with the clerk of said court.

Publication of statutes and reports

SEC. 9. The legislature may, at any time, provide by law for increasing or diminishing the salaries or compensation of any of the officers whose salaries or compensation is fixed in this constitution; *provided*, no such change of salary or compensation shall apply to any officer during the term for which he may have been elected.

Salaries may be increased or diminished

SEC. 10. All officers whose election or appointment is not otherwise provided for shall be chosen or appointed as may be prescribed by law.

SEC. 11. The tenure of any office not herein provided for may be declared by law, or, when not so declared, such office shall be held during the pleasure of the authority making the appointment, but the legislature shall not create any office the tenure of which shall be longer than four years, except as herein otherwise provided in this constitution.

Tenure of office limited

SEC. 12. The governor, secretary of state, state treasurer, state controller, and clerk of the supreme court shall keep their respective offices at the seat of government.

Office at capital

SEC. 13. The enumeration of the inhabitants of this state shall be taken under the direction of the legislature, if deemed necessary, in A. D. eighteen hundred and sixty-five, A. D. eighteen hundred and sixty-seven, A. D. eighteen

Census taken, when

hundred and seventy-five, and every ten years thereafter; and these enumerations, together with the census that may be taken under the direction of the Congress of the United States in A. D. eighteen hundred and seventy, and every subsequent ten years, shall serve as the basis of representation in both houses of the legislature.

Plurality a
choice

SEC. 14. A plurality of votes given at an election by the people shall constitute a choice, where not otherwise provided by this constitution.

ARTICLE XVI

AMENDMENTS

Constitution
amended,
how

SECTION 1. Any amendment or amendments to this constitution may be proposed in the senate or assembly; and if the same shall be agreed to by a majority of all the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their respective journals, with the yeas and nays taken thereon, and referred to the legislature then next to be chosen, and shall be published for three months next preceding the time of making such choice. And if, in the legislature next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the legislature to submit such proposed amendment or amendments to the people in such manner and at such time as the legislature shall prescribe; and if the people shall approve and ratify such amendment or amendments by a majority of the electors qualified to vote for members of the legislature voting thereon, such amendment or amendments shall become a part of the constitution.

SEC. 2. If at any time the legislature, by a vote of two-thirds of the members elected to each house, shall determine that it is necessary to cause a revision of this entire constitution, they shall recommend to the electors, at the next election for members of the legislature, to vote for or against a convention, and if it shall appear that a majority of the electors voting at such election shall have voted in favor of calling a convention, the legislature shall, at its next session, provide by law for calling a convention to be holden within six months after the passage of such law; and such convention shall consist of a number of members not less than that of both branches of the legislature. In determining what is a majority of the electors voting at such election, reference shall be had to the highest number of votes cast at such election for the candidates for any office or on any question.

ARTICLE XVII

SCHEDULE

Acts of
territory
made valid

SECTION 1. That no inconvenience may arise by reason of a change from a territorial to a permanent state government, it is declared that all rights, actions, prosecutions,

judgments, claims, and contracts, as well of individuals as of bodies corporate, including counties, towns, and cities, shall continue as if no change had taken place; and all process which may issue under the authority of the Territory of Nevada, previous to its admission into the Union as one of the United States, shall be as valid as if issued in the name of the State of Nevada.

SEC. 2. All laws of the Territory of Nevada, in force at the time of the admission of this state, not repugnant to this constitution, shall remain in force until they expire by their own limitations, or be altered or repealed by the legislature.

Acts of
territory
made valid

SEC. 3. All fines, penalties and forfeitures accruing to the Territory of Nevada, or to the people of the United States in the Territory of Nevada, shall inure to the State of Nevada.

SEC. 4. All recognizances heretofore taken, or which may be taken before the change from a territorial to a state government, shall remain valid, and shall pass to and may be prosecuted in the name of the state, and all bonds executed to the governor of the territory, or to any other officer or court in his or their official capacity, or to the people of the United States in the Territory of Nevada, shall pass to the governor, or other officer, or court, and his or their successors in office, for the uses therein respectively expressed, and may be sued on, and recovery had accordingly; and all property, real, personal, or mixed, and all judgments, bonds, specialties, choses in action, claims and debts of whatsoever description, and all records and public archives of the Territory of Nevada shall issue to and vest in the State of Nevada, and may be sued for and recovered in the same manner and to the same extent by the State of Nevada, as the same could have been by the Territory of Nevada. All criminal prosecutions and penal actions, which may have arisen, or which may arise before the change from a territorial to a state government, and which shall then be pending, shall be prosecuted to judgment and execution in the name of the state. All offenses committed against the laws of the Territory of Nevada, before the change from a territorial to a state government, and which shall not be prosecuted before such change, may be prosecuted in the name and by the authority of the State of Nevada with like effect as though such change had not taken place; and all penalties incurred shall remain the same as if this constitution had not been adopted. All actions at law and suits in equity, and other legal proceedings, which may be pending in any of the courts of the Territory of Nevada at the time of the change from a territorial to a state government, may be continued and transferred to and determined by any court of the state which shall have jurisdiction of the subject-matter thereof. All actions at law and suits in equity, and all other legal proceedings, which may be pending in any of the courts of the Territory of Nevada at the time of the change from a territorial to a

Prosecutions
in name of
state

Civil actions
determined
by state
courts

state government, shall be continued and transferred to, and may be prosecuted to judgment and execution in any court of the state, which shall have jurisdiction of the subject-matter thereof; and all books, papers and records relating to the same shall be transferred in like manner to such court.

Salaries of
state officers

SEC. 5. For the first term of office succeeding the formation of a state government, the salary of the governor shall be four thousand dollars per annum; the salary of the secretary of state shall be three thousand six hundred dollars per annum; the salary of the state controller shall be three thousand six hundred dollars per annum; the salary of the state treasurer shall be three thousand six hundred dollars per annum; the salary of the surveyor-general shall be one thousand dollars per annum; the salary of the attorney-general shall be two thousand five hundred dollars per annum; the salary of the superintendent of public instruction shall be two thousand dollars per annum; the salary of each judge of the supreme court shall be seven thousand dollars per annum. The salaries of the foregoing officers shall be paid quarterly, out of the state treasury. The pay of state senators and members of the assembly shall be eight dollars per day, for each day of actual service, and forty cents per mile for mileage going to and returning from the place of meeting. No officer mentioned in this section shall receive any fee or perquisites to his own use for the performance of any duty connected with his office, or for the performance of any additional duty imposed upon him by law.

Apportion-
ment of
legislators

SEC. 6. Until otherwise provided by law, the apportionment of senators and assemblymen in the different counties shall be as follows, to wit: Storey County, four senators and twelve assemblymen; Douglas County, one senator and two assemblymen; Esmeralda County, two senators and four assemblymen; Humboldt County, two senators and three assemblymen; Lander County, two senators and four assemblymen; Lyon County, one senator and three assemblymen; Lyon and Churchill Counties, one senator jointly; Churchill County, one assemblyman; Nye County, one senator and one assemblyman; Ormsby County, two senators and three assemblymen; Washoe and Roop Counties, two senators and three assemblymen.

Territorial
debt
assumed
by state

SEC. 7. All debts and liabilities of the Territory of Nevada, lawfully incurred, and which remain unpaid at the time of the admission of this state into the Union, shall be assumed by and become the debt of the State of Nevada; *provided*, that the assumption of such indebtedness shall not prevent the state from contracting the additional indebtedness, as provided in section three of article IX of this constitution.

[Sections 8 to 26, inclusive, are now only historical.]

SEC. 8. The term of state officers (except judicial) elected at the first election under this constitution, shall continue

until the Tuesday after the first Monday of January, A. D. eighteen hundred and sixty-seven, and until the election and qualification of their successors. Obsolete,
historical
only

SEC. 9. The senators to be elected at the first election under this constitution shall draw lots, so that the term of one-half of the number, as nearly as may be, shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-six, and the term of the other half shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-eight; *provided*, that in drawing lots for all senatorial terms, the senatorial representation shall be allotted so that in the counties having two or more senators, the terms thereof shall be divided, as nearly as may be, between the long and short terms.

SEC. 10. At the general election in A. D. eighteen hundred and sixty-six, and thereafter, the term of senators shall be four years from the day succeeding such general election, and members of the assembly for two years from the day succeeding such general election, and the terms of senators shall be allotted by the legislature in long and short terms, as hereinbefore provided, so that one-half the number, as nearly as may be, shall be elected every two years.

SEC. 11. The term of the members of the assembly elected at the first general election under this constitution shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-five; and the terms of those elected at the general election in A. D. eighteen hundred and sixty-five shall expire on the day succeeding the general election in A. D. eighteen hundred and sixty-six.

SEC. 12. The first regular session of the legislature shall commence on the second Monday of December, A. D. eighteen hundred and sixty-four, and the second regular session of the same shall commence on the first Monday of January, A. D. eighteen hundred and sixty-six, and the third regular session of the legislature shall be the first of the biennial sessions, and shall commence on the first Monday of January, A. D. eighteen hundred and sixty-seven; and the regular sessions of the legislature shall be held thereafter biennially, commencing on the first Monday of January.

[Section 12 superseded by section 2, article IV.]

SEC. 13. All county officers under the laws of the Territory of Nevada at the time when the constitution shall take effect, whose offices are not inconsistent with the provisions of this constitution, shall continue in office until the first Monday of January, A. D. eighteen hundred and sixty-seven, and until their successors are elected and qualified; and all township officers shall continue in office until the expiration of their terms of office, and until their successors are elected and qualified; *provided*, that the probate judges of the several counties, respectively, shall continue in office until the election and qualification of the district judges of the several counties

Obsolete.
historical
only

or judicial districts; *and provided further*, that the term of office of the present county officers of Lander County shall expire on the first Monday of January, A. D. eighteen hundred and sixty-five, except the probate judge of said county, whose term of office shall expire upon the first Monday of December, A. D. eighteen hundred and sixty-four, and there shall be an election for county officers of Lander County at the general election in November, A. D. eighteen hundred and sixty-four, and the officers then elected shall hold office from the first Monday of January, A. D. eighteen hundred and sixty-five, until the first Monday of January, A. D. eighteen hundred and sixty-seven, and until their successors are elected and qualified.

SEC. 14. The governor, secretary, treasurer, and superintendent of public instruction of the Territory of Nevada shall each continue to discharge the duties of their respective offices after the admission of this state into the Union, and until the time designated for the qualification of the above-named officers to be elected under the state government; and the territorial auditor shall continue to discharge the duties of his said office until the time appointed for the qualification of the state controller; *provided*, that the said officers shall each receive the salaries, and be subject to the restrictions and conditions provided in this constitution; *and provided further*, that none of them shall receive to his own use any fees or perquisites for the performance of any duty connected with his office.

SEC. 15. The terms of the supreme court shall, until provision be made by law, be held at such times as the judges of the said court, or a majority of them, may appoint. The first terms of the several district courts (except as hereinafter mentioned) shall commence on the first Monday of December, A. D. eighteen hundred and sixty-four. The first term of the district court in the Fifth judicial district shall commence on the first Monday of January, A. D. eighteen hundred and sixty-four, in the county of Nye, and shall commence on the first Monday of January, A. D. eighteen hundred and sixty-five in the county of Churchill. The terms of the Fourth judicial district court shall, until otherwise provided by law, be held at the county-seat of Washoe County, and the first term thereof commence on the first Monday of December, A. D. eighteen hundred and sixty-four.

SEC. 16. The judges of the several district courts of this state shall be paid, as hereinbefore provided, salaries at the following rates per annum. First judicial district (each judge), six thousand dollars; Second judicial district, four thousand dollars; Third judicial district, five thousand dollars; Fourth judicial district, five thousand dollars; Fifth judicial district, thirty-six hundred dollars; Sixth judicial district, four thousand dollars; Seventh judicial district, six

thousand dollars; Eighth judicial district, thirty-six hundred dollars; Ninth judicial district, five thousand dollars.

Obsolete,
historical
only

SEC. 17. The salary of any judge in said judicial districts may, by law, be altered or changed, subject to the provisions contained in this constitution.

SEC. 18. The governor, lieutenant-governor, secretary of state, state treasurer, state controller, attorney-general, surveyor-general, clerk of the supreme court, and superintendent of public instruction, to be elected at the first election under this constitution, shall each qualify and enter upon the duties of their respective offices on the first Monday of December succeeding their election, and shall continue in office until the first Tuesday after the first Monday of January, A. D. eighteen hundred and sixty-seven, and until the election and qualification of their successors respectively.

SEC. 19. The judges of the supreme court and district judges to be elected at the first election under this constitution shall qualify and enter upon the duties of their respective offices on the first Monday of December succeeding their election.

SEC. 20. All officers of state, and district judges first elected under this constitution shall be commissioned by the governor of this territory, which commission shall be countersigned by the secretary of the same, and shall qualify, before entering upon the discharge of their duties, before any officer authorized to administer oaths under the laws of this territory; and also the state controller and state treasurer shall each respectively, before they qualify and enter upon the discharge of their duties, execute and deliver to the secretary of the Territory of Nevada an official bond, made payable to the people of the State of Nevada, in the sum of thirty thousand dollars, to be approved by the governor of the Territory of Nevada, and shall also execute and deliver to the secretary of state such other or further official bond or bonds as may be required by law.

SEC. 21. Each county, town, city, and incorporated village shall make provision for the support of its own officers subject to such regulations as may be prescribed by law.

SEC. 22. In case the office of any justice of the supreme court, district judge, or other state officer shall become vacant before the expiration of the regular term for which he was elected, the vacancy may be filled by appointment by the governor, until it shall be supplied at the next general election, when it shall be filled by election for the residue of the unexpired term.

SEC. 23. All cases, both civil and criminal, which may be pending and undetermined in the probate courts of the several counties at the time when, under the provisions of this constitution, said probate courts are to be abolished, shall be transferred to and determined by the district courts of such counties respectively.

Obsolete.
historical
only

SEC. 24. For the first three years after the adoption of this constitution, the legislature shall not levy a tax for state purposes exceeding one per cent per annum on the taxable property in the state; *provided*, the legislature may levy a special tax, not exceeding one-fourth of one per cent per annum, which shall be appropriated to the payment of the indebtedness of the Territory of Nevada assumed by the State of Nevada, and for that purpose only, until all of said indebtedness is paid.

SEC. 25. The county of Roop shall be attached to the county of Washoe for judicial, legislative, revenue and county purposes until otherwise provided by law.

SEC. 26. At the first regular session of the legislature to convene under the requirements of this constitution, provision shall be made by law for payment of the publication of six hundred copies of the debates and proceedings of this convention in book form, to be disposed of as the legislature may direct; and the Hon. J. Neely Johnson, president of this convention, shall contract for, and A. J. Marsh, official reporter of this convention, under the direction of the president, shall supervise the publication of such debates and proceedings. Provision shall be made by law at such first session of the legislature for the compensation of the official reporter of this convention, and he shall be paid in coin or its equivalent. He shall receive, for his services in reporting the debates and proceedings fifteen dollars per day during the session of the convention, and seven and one-half dollars additional for each evening session, and thirty cents per folio of one hundred words for preparing the same for publication: and for supervising and indexing such publication the sum of fifteen dollars per day during the time actually engaged in such service.

ARTICLE XVIII

RIGHT OF SUFFRAGE

Right of
suffrage
not to be
withheld

SECTION 1. The rights of suffrage and office-holding shall not be withheld from any male citizen of the United States by reason of his color or previous condition of servitude.

[Article XVIII was proposed and passed at the eighth session of the legislature, January 15, 1877, Statutes of 1877, page 218; agreed to and passed at the ninth session of the legislature, January 27, 1879, Statutes of 1879, page 149, and approved and ratified by the people at the general election of 1880.]

ARTICLE XIX

INITIATIVE AND REFERENDUM

Law to be
submitted to
people for
approval or
disapproval
on petition
of 10 per cent
of voters

SECTION 1. Whenever ten per centum or more of the voters of this state, as shown by the number of votes cast at the last preceding general election, shall express their wish that any law or resolution made by the legislature be submitted to a vote of the people, the officers charged with the duty of announcing and proclaiming elections, and of certify-

ing nominations, or questions to be voted on, shall submit the question of the approval or disapproval of said law or resolution to be voted on at the next ensuing election wherein a state or congressional officer is to be voted for, or wherein any question may be voted on by the electors of the entire state.

SEC. 2. When the majority of the electors voting at a state election shall by their votes signify approval of a law or resolution, such law or resolution shall stand as the law of the state, and shall not be overruled, annulled, set aside, suspended, or in any way made inoperative except by the direct vote of the people. When such majority shall so signify disapproval the law or resolution so disapproved shall be void and of no effect.

Majority
vote to
approve or
disapprove

[Article XIX was proposed and passed at the twentieth session of the legislature, March 15, 1901, Statutes of 1901, page 139; agreed to and passed at the twenty-first session of the legislature, March 3, 1903, and approved and ratified by the people at the general election of 1904.]

SEC. 3. The people reserve to themselves the power to propose laws and the power to propose amendments to the constitution and to enact or reject the same at the polls, independent of the legislature, and also reserve the power at their option to approve or reject at the polls, in the manner herein provided, any act, item, section or part of any act or measure passed by the legislature, and section one of article four of the constitution shall hereafter be considered accordingly. The first power reserved by the people is the initiative, and not more than ten per cent (10%) of the qualified electors shall be required to propose any measure by initiative petition, and every such petition shall include the full text of the measure so proposed. Initiative petitions, for all but municipal legislation, shall be filed with the secretary of state not less than thirty (30) days before any regular session of the legislature; the secretary of state shall transmit the same to the legislature as soon as it convenes and organizes. Such initiative measure shall take precedence over all measures of the legislature except appropriation bills, and shall be enacted or rejected by the legislature, without change or amendment, within forty (40) days. If any such initiative measure so proposed by petition as aforesaid, shall be enacted by the legislature and approved by the governor in the same manner as other laws are enacted, same shall become a law, but shall be subject to referendum petition as provided in sections one and two of this article. If said initiative measure be rejected by the legislature, or if no action be taken thereon within said forty (40) days, the secretary of state shall submit the same to the qualified electors for approval or rejection at the next ensuing general election; and if a majority of the qualified electors voting thereon shall approve of such measure it shall become a law and take effect from the date of the official declaration of the vote; an initiative measure so approved

Initiative

Percentage
of electors
required

Initiative

Enacting
clause

Referendum

Percentage
of electors

by the qualified electors shall not be annulled, set aside or repealed by the legislature within three (3) years from the date said act takes effect. In case the legislature shall reject such initiative measure, said body may, with the approval of the governor, propose a different measure on the same subject, in which event both measures shall be submitted by the secretary of state to the qualified electors for approval or rejection at the next ensuing general election. The enacting clause of all bills proposed by the initiative shall be: "The people of the State of Nevada do enact as follows." The whole number of votes cast for justice of the supreme court at the general election last preceding the filing of any initiative petition shall be the basis on which the number of qualified electors required to sign such petition shall be counted. The second power reserved by the people is the referendum, which shall be exercised in the manner provided in sections one and two of this article. The initiative and referendum powers in this article provided for are further reserved to the qualified electors of each county and municipality as to all local, special, and municipal legislation of every character in or for said respective counties or municipalities. The legislature may provide by law for the manner of exercising the initiative and referendum powers as to county and municipal legislation, but shall not require a petition of more than 10 per cent (10%) of the qualified electors to order the referendum, nor more than 15 per cent (15%) to propose any municipal measure by initiative. If the conflicting measures submitted to the people at the next ensuing general election shall both be approved by a majority of the votes severally cast for and against each of said measures, the measure receiving the highest number of affirmative votes shall thereupon become a law as to all conflicting provisions. The provision of this section shall be self-executing, but legislation may be especially enacted to facilitate its operation.

[As amended. Proposed and passed at the twenty fourth session of the legislature, March 22, 1909, Statutes of 1909, page 347; agreed to and passed at the twenty-fifth session, February 1, 1911, Statutes of 1911, page 446; and approved and ratified by the people at the general election of 1912.]

ELECTION ORDINANCE

WHEREAS, The enabling act passed by Congress and approved March twenty-first, A. D. eighteen hundred and sixty-four, requires that the convention charged with the duty of framing a constitution for a state government "shall provide by ordinance for submitting said constitution to the people of the Territory of Nevada for their ratification or rejection," on a certain day prescribed therein; therefore this convention, organized in pursuance of said enabling act, do establish the following

Ordinance

¹SECTION 1. The governor of the Territory of Nevada is hereby authorized to issue his proclamation for the submission of the constitution to the people of said territory, for their approval or rejection, on the day provided for such submission by act of Congress; and this constitution shall be submitted to the qualified electors of said territory, in the several counties thereof, for their approval or rejection, at the time provided by such act of Congress; and further, on the first Tuesday after the first Monday of November, A. D. eighteen hundred and sixty-four, there shall be a general election in the several counties of said territory, for the election of state officers, supreme and district judges, members of the legislature, representative in Congress, and three presidential electors.

Obsolete,
historical
only

SEC. 2. All persons qualified by the laws of said territory to vote for representatives to the general assembly on the said twenty-first day of March, including those in the army of the United States, both within and beyond the boundaries of said territory, and also all persons who may, by the aforesaid laws, be qualified to vote on the first Wednesday of September, A. D. eighteen hundred and sixty-four, including those in the aforesaid army of the United States, within and without the boundaries of said territory, may vote for the adoption or rejection of said constitution, on the day last above named. In voting upon this constitution each elector shall deposit in the ballot box a ticket, whereon shall be clearly written or printed "Constitution—Yes" or "Constitution—No," or other such words as shall clearly indicate the intention of the elector.

SEC. 3. All persons qualified by the laws of said territory to vote on the Tuesday after the first Monday in November, A. D. eighteen hundred and sixty-four, including those in the army of the United States, within and beyond the boundaries of said territory, may vote on the day last above named for state officers, supreme and district judges, members of the legislature, representative in Congress, and three presidential electors to the electoral college.

SEC. 4. The elections provided in this ordinance shall be holden at such places as shall be designated by the boards of commissioners of the several counties in said territory. The judges and inspectors of said elections shall be appointed by said commissioners, and the said elections shall be conducted in conformity with the existing laws of said territory in relation to holding the general election.

SEC. 5. The judges and inspectors of said elections shall carefully count each ballot immediately after said elections and forthwith make duplicate returns thereof to the clerks of the said county commissioners of their respective counties;

¹This ordinance is now only historical.

Obsolete,
historical
only

and said clerks, within fifteen days after said election, shall transmit an abstract of the votes, including the soldiers' vote as herein provided, given for state officers, supreme and district judges, representative in Congress and three presidential electors, enclosed in an envelope, by the most safe and expeditious conveyance, to the governor of said territory, marked "Election Returns."

SEC. 6. Upon the receipt of said returns, including those of the soldiers' vote, or within twenty days after the election, if said returns be not sooner received, it shall be the duty of the board of canvassers, to consist of the governor, United States district attorney, and chief justice of said territory, or any two of them, to canvass the returns in the presence of all who may wish to be present, and if a majority of all the votes given upon this constitution shall be in its favor, the said governor shall immediately publish an abstract of the same, and make proclamation of the fact in some newspaper in said territory, and certify the same to the president of the United States, together with a copy of the constitution and ordinance. The said board of canvassers, after canvassing the votes of the said November elections, shall issue certificates of election to such persons as were elected state officers, judges of the supreme and district courts, representative in Congress and three presidential electors. When the president of the United States shall issue his proclamation declaring this state admitted into the Union on an equal footing with the original states, this constitution shall thenceforth be ordained and established as the constitution of the State of Nevada.

SEC. 7. For the purpose of taking the vote of the electors of said territory who may be in the army of the United States, the adjutant-general of said territory shall, on or before the fifth day of August next following, make out a list in alphabetical order, and deliver the same to the governor, of the names of all the electors, residents of said territory, who shall be in the army of the United States, stating the number of the regiment, battalion, squadron, or battery to which he belongs, and also the county and township of his residence in said territory.

SEC. 8. The governor shall classify and arrange the aforesaid returned list, and shall make therefrom separate lists of the electors belonging to each regiment, battalion, squadron, and battery from said territory, in the service of the United States, and shall, on or before the fifteenth day of August following, transmit, by mail or otherwise, to the commanding officer of each regiment, battalion, squadron, and battery a list of electors belonging thereto, which said list shall specify the name, residence, and rank of each elector, and the company to which he belongs, if to any, and also the county and

township to which he belongs, and in which he is entitled to vote. Obsolete,
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SEC. 9. Between the hours of nine o'clock a. m. and three o'clock p. m., on each of the election days hereinbefore named, a ballot box or suitable receptacle for votes shall be opened, under the immediate charge and direction of three of the highest officers in command, for the reception of votes from the electors whose names are upon said list, at each place where a regiment, battalion, squadron, or battery of soldiers from said territory, in the army of the United States, may be on that day, at which time and place said elector shall be entitled to vote for all officers for which, by reason of their residence in the several counties of said territory, they are authorized to vote, as fully as they would be entitled to vote in the several counties or townships in which they reside, and the votes so given by such electors, at such time and place, shall be considered, taken and held to have been given by them in the respective counties and townships in which they are resident.

SEC. 10. Each ballot deposited for the adoption or rejection of this constitution, in the army of the United States, shall have distinctly written or printed thereon "Constitution—Yes," or "Constitution—No," or words of a similar import; and further, for the election of state officers, supreme and district judges, members of the legislature, representative in Congress, and three presidential electors, the name and office of the person voted for shall be plainly written or printed on one piece of paper. The name of each elector voting as aforesaid shall be checked upon said list, at the time of voting, by one of the said officers having charge of the ballot box. The said officers having charge of the election shall count the votes and compare them with the checked list, immediately after the closing of the ballot box.

SEC. 11. All the ballots cast, together with the said voting list, checked as aforesaid, shall be immediately sealed up and sent forthwith to the governor of said territory at Carson City, by mail or otherwise, by the commanding officer, who shall make out and certify duplicate returns of votes given, according to the forms hereinafter prescribed, seal up and immediately transmit the same to the governor at Carson City, by mail or otherwise, the day following the transmission of the ballots and the voting list herein named. The said commanding officer shall also immediately transmit to the several county clerks in said territory, an abstract of the votes given at the general election in November, for county officers, marked "Election Returns."

SEC. 12. The forms of returns of votes to be made by the commanding officer to the governor and county clerks of said territory shall be in substance as follows, viz:

Returns of soldiers' votes in the (here insert the regiment, detachment, battalion, squadron, or battery).

(For first election—On the constitution.)

Obsolete,
historical
only

I,, hereby certify that on the first Wednesday of September, A. D. eighteen hundred and sixty-four, the electors belonging to the (here insert the name of the regiment, detachment, battalion, squadron, or battery) cast the following number of votes for and against the constitution for the State of Nevada, viz:

For constitution—(number of votes written in full and in figures).

Against constitution—(number of votes written in full and in figures).

(Second election—For state and other officers.)

I,, hereby certify that on the first Tuesday after the first Monday in November, A. D. eighteen hundred and sixty-four, the electors belonging to the (here insert as above) cast the following number of votes for the several officers and persons hereinafter named, viz:

For governor—(names of persons voted for, number of votes for each person voted for, written in full, and also in figures, against the name of each person).

For lieutenant-governor—(names of candidates, number of votes cast for each written out and in figures as above).

Continue as above until the list is completed.

Attest:

I. A. B.

Commanding officer of the (here insert regiment, detachment, battalion, squadron, or battery, as the case may be).

SEC. 13. The governor of this territory is requested to furnish each commanding officer, within and beyond the boundaries of said territory, proper and sufficient blanks for said returns.

SEC. 14. The provisions of this ordinance in regard to the soldiers' vote shall apply to future elections under this constitution, and be in full force until the legislature shall provide by law for taking the votes of citizens of said territory in the army of the United States.

Done in convention, at Carson City, the twenty-eighth day of July, in the year of our Lord one thousand eight hundred and sixty-four, and of the independence of the United States the eighty-ninth, and signed by the delegates.

J. NEELY JOHNSON,

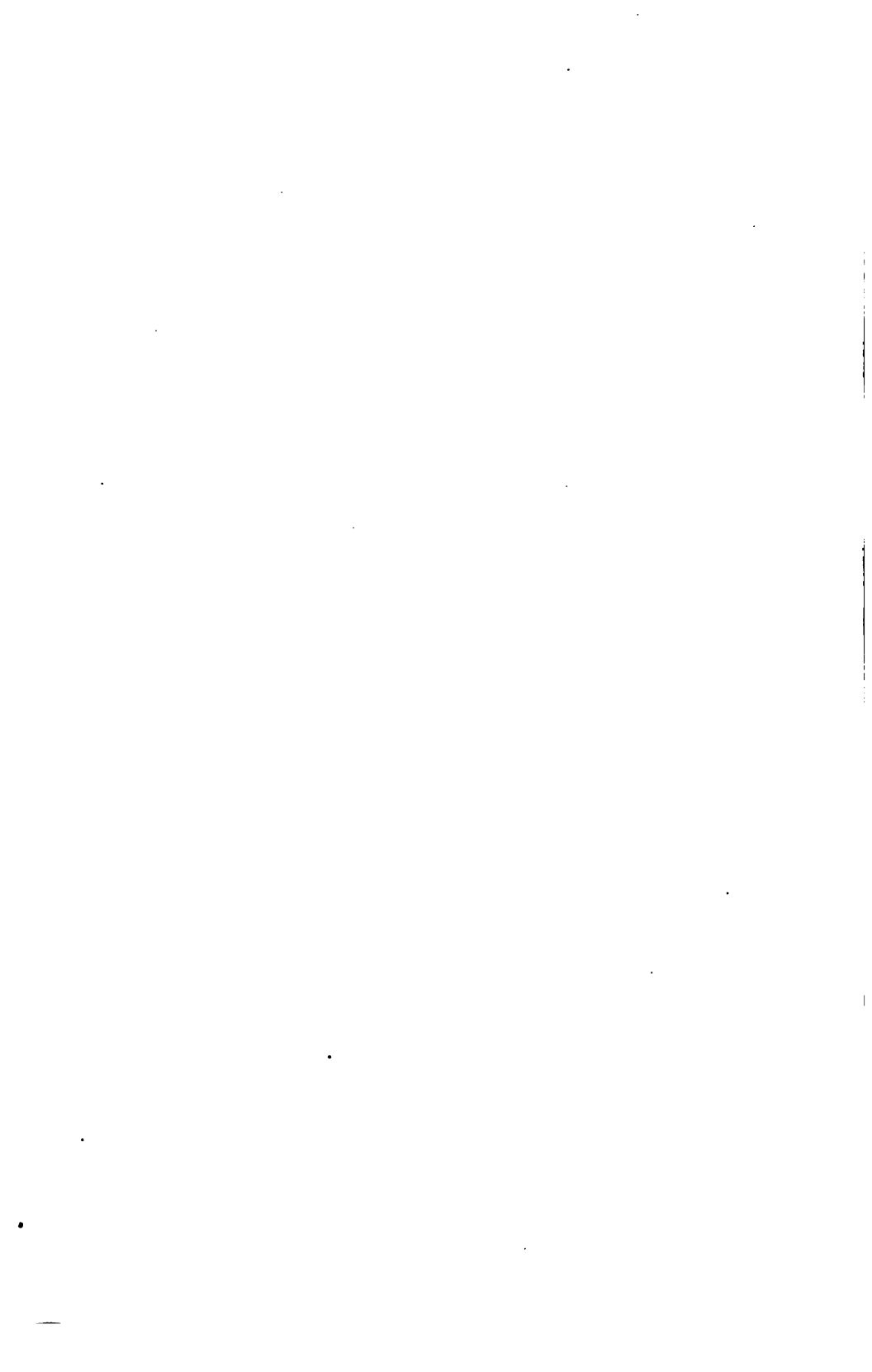
President of the Convention and Delegate from Ormsby County.

WM. M. GILLESPIE, *Secretary.*

Henry B. Brady.....	Delegate from Washoe County
E. F. Dunne.....	Delegate from Humboldt County
J. G. McClinton.....	Delegate from Esmeralda County
G. N. Folsom.....	Delegate from Washoe County

F. H. Kennedy.....	Delegate from Lyon County
W. W. Belden.....	Delegate from Washoe County
F. M. Proctor.....	Delegate from Nye County
Albert T. Hawley.....	Delegate from Douglas County
Geo. L. Gibson.....	Delegate from Ormsby County
F. Tagliabue.....	Delegate from Nye County
Wm. Wetherill.....	Delegate from Esmeralda County
John A. Collins.....	Delegate from Storey County
Jas. A. Banks.....	Delegate from Humboldt County
J. S. Crosman.....	Delegate from Lyon County
Saml. A. Chapin.....	Delegate from Storey County
C. M. Brosnan.....	Delegate from Storey County
John H. Kinkead.....	Delegate from Ormsby County
Geo. A. Hudson.....	Delegate from Lyon County
Israel Crawford.....	Delegate from Ormsby County
A. J. Lockwood.....	Delegate from Ormsby County
H. G. Parker.....	Delegate from Lyon County
J. H. Warwick.....	Delegate from Lander County
C. E. DeLong.....	Delegate from Storey County
Lloyd Frizell.....	Delegate from Storey County
Geo. A. Nourse.....	Delegate from Washoe County
R. S. Mason.....	Delegate from Esmeralda County
Almon Hovey.....	Delegate from Storey County
Thomas Fitch.....	Delegate from Storey County
J. W. Haines.....	Delegate from Douglas County

List of
delegates to
constitu-
tional
convention



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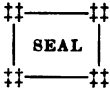
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CERTIFICATE

STATE OF NEVADA, }
DEPARTMENT OF STATE. } ss.

I, George Brodigan, the duly elected, qualified and acting Secretary of State of the State of Nevada, do hereby certify that the foregoing is a true, full and correct copy of the existing Constitution of the State of Nevada, as the same appears in the enrolled acts in my office.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office in Carson City, Nevada, this 12th day of April, A. D. 1917.

George Brodigan

Secretary of State.



STATE OF NEVADA

ANNUAL REPORT

OF THE

STATE TREASURER

1915

ED MALLEY, State Treasurer



CARSON CITY, NEVADA

STATE PRINTING OFFICE : : : JOE FARNSWORTH, SUPERINTENDENT

1916



TERRITORIAL TREASURER

J. H. KINKEAD.....	1861-1864
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STATE TREASURERS

EBEN RHOADES	1865-1869
C. C. BATTERMAN	1869-1870
JERRY SCHOOLING.....	1871-1878
L. L. CROCKETT	1879-1882
GEORGE TUFLEY.....	1883-1890
GEORGE W. RICHARD	1890
J. F. EGAN.....	1891-1893
GEORGE W. RICHARD	1894
W. J. WESTERFIELD	1895-1898
D. M. RYAN.....	1899-1910
WM. McMILLAN	1911-1914
ED MALLEY.....	1915-1918

TREASURY DEPARTMENT

ED MALLEY.....	State Treasurer
E. S. LATOURRETTE.....	Deputy Treasurer
GLADYS WOOD.....	Clerk

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STATE TREASURER'S REPORT FOR 1915

STATE OF NEVADA, TREASURY DEPARTMENT,
CARSON CITY, December 31, 1915.

To His Excellency, EMMET D. BOYLE, Governor of Nevada.

SIR: I have the honor to submit herewith the annual report of this department, showing the receipts, disbursements, balances, and detailed statements in relation thereto, for the fiscal year ending December 31, 1915.

Respectfully,

ED MALLEY,
State Treasurer.

EXHIBIT A**Apportionment of Cash in Treasury, January 1, 1915**

	<i>Amount</i>	<i>Total</i>
Balance in Treasury, January 1, 1915.....		\$257,828.50
<i>Apportioned as follows:</i>		
General Fund.....	\$3,218.24	
State Permanent School Fund.....	19,866.93	
State Distributive School Fund.....	53,811.06	
State Loan Interest and Redemption Fund.....	4,121.79	
Territorial Interest and Sinking Fund.....	13,426.80	
State Library Fund.....	5,866.05	
University 90,000-Acre Grant Fund.....	584.87	
Interest Fund, 90,000-Acre Grant.....	1,827.86	
Irreducible University Fund.....	261.16	
Contingent University Fund.....	14,963.93	
District Judges' Salary Fund.....	7,073.91	
Emergency School Fund.....	500.00	
Sheep Inspection Fund.....	10,148.08	
Carey Act Trust Fund.....	100.00	
General Road Fund.....	118.83	
Legislative Fund.....	40.00	
Nevada School of Industry.....	2,631.94	
Automobile Road Fund.....	7,137.39	
Normal Training Fund—Eureka County.....	416.70	
Normal Training Fund—Lyon County.....	450.00	
Normal Training Fund—Nye County.....	500.00	
Judicial Salary Fund.....	1,500.00	
State Orphans' Home Fund.....	1,040.81	
State Prison Fund.....	5,372.01	
State Indigent Insane Fund.....	4,034.65	
Panama-Pacific Exposition Fund.....	30,217.60	
Panama-California Exposition Fund.....	12,497.00	
Industrial Commission Fund, Bureau of Industry.....	2.38	
Unapportioned County Settlement Fund.....	56,114.01	
Total.....		\$257,828.50

EXHIBIT B

Receipts for the year 1915

<i>Sources of revenue</i>	<i>Amount</i>
Property taxes.....	\$806,468.74
Proceeds of mines taxes.....	52,725.51
Inheritance taxes.....	4,415.10
Sheep inspection taxes.....	17,818.26
Delinquent taxes.....	10,216.78
Stock inspection taxes.....	2,512.98
Sales of county property.....	10.80
Liquor licenses.....	81,724.23
Cigarette licenses.....	480.57
Glove contest licenses.....	952.20
Dance-hall licenses.....	547.52
Insurance fees and licenses.....	13,805.92
Automobile licenses.....	7,297.61
Attorney's licenses.....	650.00
Amusement licenses.....	18.75
State bank licenses.....	3,476.00
Possessory claims.....	50.00
District Judges' salary.....	61,828.12
District Court fines.....	123.00
Justice Court fines.....	4,340.90
Care of children—Orphans' Home.....	6,593.20
Payments on school lands.....	48,202.42
Payments on University lands.....	397.60
Payments on Mining College lands.....	369.98
Interest on school lands.....	63,075.49
Interest on University lands.....	544.31
Interest on Mining College lands.....	1,013.97
Interest on bank deposits.....	2,116.21
Interest on Massachusetts 3% bonds.....	21,060.00
Interest on Massachusetts 3½% bonds.....	13,805.00
Interest on California bonds.....	9,280.00
Interest on Idaho bonds.....	7,000.00
Interest on Esmeralda County bonds.....	1,250.00
Interest on Clark County bonds.....	4,500.00
Interest on Churchill County bonds.....	300.00
Interest on New Mexico bonds.....	6,250.00
Interest on Nye County bonds.....	1,140.00
Interest on Nevada Refunding bonds.....	15,000.00
Interest on Nevada Irredeemable bond.....	19,000.00
Land sales commissions.....	1,464.30
Fees—State Engineer.....	6,495.92
Fees—State Land Office.....	279.85
Fees—Secretary of State.....	22,869.75
Fees—Supreme Court.....	1,077.75
Sales of Capitol furniture and equipment.....	355.70
Teachers' examinations—Rebate.....	14.50
Care of insane patients.....	180.00
Sale of Nevada Statutes and Reports.....	1,746.25
Public School Teachers' Permanent Fund taxes.....	258.61
Public school teachers' assessments.....	764.00
Escheated estates.....	1,148.39
Forfeited bonds.....	1,012.50
Redemption of Clark County bonds.....	3,000.00
Transcripts—Railroad Commission.....	29.70
Transcripts—Public Service Commission.....	76.80
Nevada School of Industry—Furniture and equipment.....	50.00
Carey Act Trust Fund.....	25.22
Insurance premiums returned.....	14.74
*National Forest receipts.....	16,244.53
Total.....	\$1,381,985.78

*This amount was received from U. S. Treasurer and immediately disbursed to the various counties.

EXHIBIT C

Disbursements by Appropriations for the year 1915

Appropriation	Amount
Governor—Salary.....	\$7,833.40
Governor's Private Secretary—Salary.....	2,400.00
Governor's Clerk—Salary.....	1,180.65
Governor's traveling expenses.....	525.90
Repairs Governor's Mansion.....	158.56
Improvements Governor's Mansion.....	291.30
Governor's Conferences.....	300.00
Maintenance Governor's Mansion.....	1,596.12
Governor's and Attorney-General's traveling expenses.....	86.95
Lieutenant-Governor and Adjutant-General—Salary.....	\$,750.00
Adjutant-General's expenses.....	893.06
Adjutant-General's Stenographer—Relief.....	35.00
Secretary of State—Salary.....	2,800.00
Secretary of State's Deputy—Salary.....	2,600.00
Secretary of State's Clerk—Salary.....	2,168.70
Secretary of State's Typist—Salary.....	2,100.00
Secretary of State's Stenographer—Salary.....	912.90
Attorney-General—Salary.....	\$,766.70
Attorney-General's Deputy—Salary.....	2,600.00
Attorney-General's Typist—Salary.....	1,300.00
Attorney-General's traveling expenses.....	662.05
Attorney-General's contingent expenses.....	850.79
Attorney-General's law revision schedule.....	36.00
Mineral Land Commissioner—Salary.....	1,862.69
State Controller—Salary.....	4,000.00
State Controller's Deputy—Salary.....	2,480.66
State Controller's Typist—Salary.....	1,200.00
State Controller's records.....	802.92
State Controller—Furniture and equipment.....	1,832.72
Collection revenue.....	555.20
Insurance Commissioner's claims.....	9,250.01
State Treasurer—Salary.....	3,600.00
State Treasurer's Deputy—Salary.....	2,480.66
State Treasurer's Typist—Salary.....	1,180.65
State Treasurer—Equipment.....	\$,744.49
Surveyor-General—Salary.....	3,800.00
Surveyor-General's Deputy—Salary.....	2,480.66
Surveyor-General's Draughtsman—Salary.....	2,166.70
Surveyor-General's Typist—Salary.....	1,300.00
Surveyor-General's transcribing records, and Clerk.....	1,411.22
Surveyor-General's township plats.....	166.50
Inspector of Mines—Salary.....	3,900.00
Inspector of Mines' Deputy—Salary.....	2,800.00
Inspector of Mines' expenses.....	3,316.58
Superintendent of State Printing—Salary.....	\$,550.00
Bookkeeper of State Printing Office—Salary.....	1,300.00
State Printing Office—Support.....	25,318.98
State Printing Office—Bookbinding.....	3,270.40
State Printing Office—Machinery and repairs.....	706.32
State Printing Office—Typesetting machine.....	407.23
Superintendent of Public Instruction—Salary.....	3,766.70
Superintendent of Public Instruction's Typist—Salary.....	1,300.00
Superintendent of Public Instruction's traveling expenses.....	524.90
Deputy Superintendent School District No. 1—Salary.....	2,166.66
Deputy Superintendent School District No. 1—Traveling expenses.....	346.00
Deputy Superintendent School District No. 1—Office expenses.....	366.27
Deputy Superintendent School District No. 2—Salary.....	1,833.32
Deputy Superintendent School District No. 2—Traveling expenses.....	1,036.98
Deputy Superintendent School District No. 2—Office expenses.....	449.94
Deputy Superintendent School District No. 3—Salary.....	2,000.00
Deputy Superintendent School District No. 3—Traveling expenses.....	736.22
Deputy Superintendent School District No. 3—Office expenses.....	308.86
Deputy Superintendent School District No. 4—Salary.....	1,744.06
Deputy Superintendent School District No. 4—Traveling expenses.....	874.73
Deputy Superintendent School District No. 4—Office expenses.....	369.52
Deputy Superintendent School District No. 5—Salary.....	1,666.66
Deputy Superintendent School District No. 5—Traveling expenses.....	625.20
Deputy Superintendent School District No. 5—Office expenses.....	613.09
Educational Survey Commission—Expenses.....	50.00
Text-Book Commission.....	490.76
Care and education of feeble-minded children.....	405.20
Deaf and blind—Tuition and support.....	3,732.79
Deaf and Blind, California School—Relief.....	39.07
Schools—Support.....	207,900.59
Schools—Emergency support.....	3,500.00
Normal-training schools—Support.....	5,360.04
Teachers' examinations.....	621.46
Teachers' institute.....	814.10
Bank Examiner—Salary.....	4,000.00
Carried forward.....	\$375,378.79

REPORT OF STATE TREASURER

9

Brought forward.....	\$375,373.79
Bank Examiner and Banking Board—Expenses.....	2,400.28
Railroad Commissioners—Salary.....	12,250.14
Railroad Commission—Secretary's salary.....	2,600.00
Railroad Commission—Expenses.....	7,364.07
Relief Southern Pacific Company.....	161.85
Relief T. J. Edwards.....	71.45
Public Service Commission—Engineer's salary.....	2,500.00
Public Service Commission—Secretary's salary.....	459.67
Public Service Commission—Expenses.....	3,411.30
Tax Commission—Deficiency.....	3,889.39
Tax Commissioner's salary.....	1,477.22
Tax Commission—Support.....	11,169.79
Tax Commission—Secretary's salary.....	2,400.00
Board of Health—Secretary's salary.....	1,625.00
Board of Health—Support.....	1,152.36
State Police—Superintendent's salary.....	2,700.00
State Police—Creation.....	849.92
State Police—Support.....	21,693.18
State Engineer—Salary.....	3,600.00
State Engineer—Assistant's salary.....	2,174.20
State Engineer—Support.....	14,606.79
State Engineer—Deficiency.....	178.35
Relief Nevada Printing Company.....	40.00
Irrigation investigation.....	2,299.81
State Prison—Warden's salary.....	1,000.00
State Prison—Death Watch.....	2,093.91
State Prison and Farm—Improvements, repairs, etc.....	11,678.71
Convict labor.....	1,064.20
State Prison—Support.....	68,799.41
State Prison—Plans and specifications.....	543.02
Baker investigation—Relief.....	500.00
Relief Gray, Reid, Wright Co.....	61.81
Relief Raycraft Realty Company.....	270.60
Relief Sam Caramella.....	71.28
Road Camp—Relief Verdi Lumber Company.....	125.99
Historical Society—Support.....	2,434.52
Historical Society—Moving collection.....	74.88
Nevada Hospital Mental Diseases—Superintendent's salary.....	2,600.00
Nevada Hospital Mental Diseases—Repairs and improvements.....	1,079.48
Nevada Hospital Mental Diseases—Relief discharged patients.....	130.00
Nevada Hospital Mental Diseases—Chaplains.....	189.00
Nevada Hospital Mental Diseases—Equipment.....	606.96
Nevada Hospital Mental Diseases—Support.....	48,320.30
Relief J. I. Allenbach Fuel Company.....	514.90
State Orphans' Home—Superintendent and Matron's salary.....	2,400.00
State Orphans' Home—Physician.....	825.00
State Orphans' Home—Hospital.....	480.74
State Orphans' Home—Improvements and repairs.....	651.81
State Orphans' Home—Educating children.....	1,500.00
State Orphans' Home—Support.....	16,606.69
Capitol—Janitor's salary.....	1,427.87
Capitol—Watchmen's salary.....	2,710.97
Capitol—Gardener's salary.....	1,427.87
Capitol—Assistant Gardener's salary.....	624.75
Capitol—Fireman's salary.....	1,427.87
Capitol—Stationery, fuel, and light.....	5,195.93
Capitol—Enlargement.....	15,806.93
Capitol—Current expenses.....	7,493.97
Capitol—Fire apparatus.....	692.18
Capitol—Grounds, concrete walks.....	2,498.35
Capitol—Buildings, repairs and improvements.....	3,564.19
Capitol—Expenses grounds and water-works.....	1,984.58
Rewards—Governor.....	250.00
Auditing accounts State Officers—Relief.....	1,200.00
Tonopah School of Mines—Teacher's salary.....	937.50
Tonopah School of Mines—Support.....	105.59
Virginia School of Mines—Relief.....	120.00
Virginia School of Mines—Teacher's salary.....	1,833.30
Virginia School of Mines—Support.....	922.19
Nevada School of Industry—Support.....	38,230.53
University of Nevada—Support.....	95,301.51
University of Nevada—Public Service Department support.....	21,626.35
University of Nevada—Revolving Fund.....	10,000.00
University of Nevada—Engineer expenses.....	4,124.55
University of Nevada—Purchase Evans's tract.....	7,837.50
University of Nevada—Purchase Stubbs's house.....	4,154.50
University of Nevada—College farm.....	5,464.04
University of Nevada—Quarantine Board, relief.....	300.00
University of Nevada—Dairy building.....	58.00
Bureau of Industry, Agriculture and Irrigation—Deficiency.....	259.55
Bureau of Industry—Commissioner's salary.....	1,200.00
Bureau of Industry, Agriculture and Irrigation—Expenses.....	162.01
Supreme Court—Judges' salaries.....	18,000.00
Supreme Court—Reporter's salary.....	1,500.00
Supreme Court—Stenographers' salaries.....	3,250.00
Carried forward.....	\$897,600.65

REPORT OF STATE TREASURER

Brought forward.....	\$897,600.65
Supreme Court—Bailiff's salary.....	244.00
Clerk Supreme Court—Salary.....	3,200.00
Clerk Supreme Court—Deputy's salary.....	246.75
Clerk Supreme Court—Stenographer's salary.....	317.50
Clerk Supreme Court—Equipment.....	28.27
Clerk Supreme Court—Typewriter.....	56.00
Nevada Reports—Compiling and indexing.....	700.00
Nevada Reports—Printing and binding.....	2,140.20
Reporter of Decisions—Salary.....	256.45
Official advertising and publishing decisions.....	2,925.00
District Judges' salaries.....	46,306.99
District Judges' expenses.....	4,608.51
Relief of E. E. Winters and E. J. L. Taber.....	136.35
State Library—Equipment.....	16,893.49
State Librarian—Salary.....	1,500.00
State Librarian—Salary Assistant.....	1,403.33
Sheep Inspection Commission.....	14,982.92
State Fish Commission—Deficiency.....	4,416.70
State Fish Commission—Support.....	5,768.32
State Agricultural Society—Deficiency.....	3,500.00
State Agricultural Society—Fairs.....	5,444.03
State Agricultural Society—Buildings and grounds.....	2,695.43
State Bank and Trust Company investigation.....	1,090.83
Artesian well bounty, Railroad Valley Company.....	2,500.00
Wellington Bowen—Allowance.....	420.00
Florence Crittenton Home—Allowance.....	2,600.00
T. F. Richardson Estate—Relief.....	5,000.00
Panama-Pacific Exposition.....	66,605.67
Panama-California Exposition.....	28,614.31
Elko Dry Farm—Support.....	751.37
Clark County Agricultural Experiment Farm—Support.....	8,166.19
Mrs. A. R. Shewalter—Relief.....	41.10
Dr. E. T. Krebs—Relief.....	60.00
Remington Typewriter Company—Relief.....	739.81
Gold Hill School District—Relief.....	300.00
Lincoln portrait.....	1,250.00
Legislature—Indexing, relief.....	170.00
Legislature.....	71,810.26
Automobile road.....	134.71
Labor Commissioner—Support.....	1,885.45
Commission Uniform Laws—Support.....	100.00
County settlements—Overpayments.....	2,678.00
Care G. A. R. Cemetery.....	150.00
Farm and Homeseekers' Bulletins.....	76.19
Battleship "Nevada" silver service.....	6.35
Western Union Telegraph Company—Relief.....	4.16
Land payment withdrawals.....	82.50
Interest on Nevada 5% irredeemable bond.....	19,000.00
Interest on Nevada 5% bonds, refunding.....	15,000.00
State quarantine.....	1,267.40
Water measurements.....	157.50
Nomination fees.....	2,010.41
Carey Act Trust Fund.....	100.00
Interest Account, 90,000-Acre Grant.....	22.26
Public roads.....	4.00
New roads—1913 deficiency.....	.50
Purchase White Pine County High-School Bonds.....	20,000.00
Purchase White Pine County Preston School District Bonds.....	3,000.00
Escheated estates.....	20.55
Distribution National Forest receipts.....	15,774.43
Nevada Industrial Commission—Deficiency.....	2,475.94
Nevada Industrial Commission—Premium.....	1,446.72
Stock Inspection Commission.....	1,505.96
Total.....	\$1,287,393.46

EXHIBIT D

Receipts and Disbursements by Funds

<i>Fund</i>	<i>Receipts</i>	<i>Disbursements</i>
General Fund.....	\$634,067.41	\$571,957.81
State Permanent School Fund.....	55,506.06	33,486.42
State Distributive School Fund.....	244,467.21	212,720.04
State Loan Interest and Redemption Fund.....	20,632.69	15,000.00
Territorial Interest and Sinking Fund.....	29,736.02	19,000.00
State Library Fund.....	25,331.00	16,893.49
University 90,000-Acre Grant Fund.....	369.93	
Interest Fund, 90,000-Acre Grant.....	5,243.97	3,239.28
Irreducible University Fund.....	397.60	
Contingent University Fund.....	127,225.91	101,920.46
District Judges' Salary Fund.....	51,828.12	46,306.99
Emergency School Fund.....		3,500.00
Sheep Inspection Fund.....	17,818.26	14,982.92
Carey Act Trust Fund.....	25.22	100.00
General Road Fund.....		4.00
Legislative Fund.....		71,823.17
Nevada School of Industry.....	19,105.23	35,230.53
Automobile Road Fund.....	7,297.61	134.71
Normal Training Fund—Eureka County.....		1,166.70
Normal Training Fund—Lyon County.....		1,260.00
Normal Training Fund—Nye County.....		1,400.00
Normal Training Fund—Lincoln County.....		533.34
Normal Training Fund—Ormsby County.....		400.00
Normal Training Fund—Elko County.....		400.00
General Insurance Fund.....	13,805.92	9,250.01
Public School Teachers' Permanent Fund.....	1,596.49	
Immigration Fund.....	286.00	76.19
Livestock Inspection Fund.....	2,512.98	1,505.96
Judicial Salary Fund.....		1,500.00
State Orphans' Home Fund.....	1,272.00	1,038.31
State Prison Fund.....		4,683.76
State Indigent Insane Fund.....	45.00	3,897.87
Panama-Pacific Exposition Fund.....	40,347.01	66,592.76
Panama-California Exposition Fund.....	16,833.61	28,614.81
National Forest Receipts Fund.....	16,244.53	15,774.43
Totals.....	\$1,331,985.78	\$1,287,398.46
Balance on hand January 1, 1915.....	257,828.50	
Balance on hand December 31, 1915.....		802,420.82
	\$1,589,814.28	\$1,589,814.28

EXHIBIT E

Transfers for the year 1915

<i>Funds</i>	<i>Amount</i>	<i>Total</i>
From General to Normal Training, Lincoln County.....	\$800.00	
From General to Normal Training, Ormsby County.....	900.00	
From General to Normal Training, Elko County.....	900.00	
From General to Normal Training, Lyon County.....	810.00	
From General to Normal Training, Eureka County.....	750.00	
From General to Normal Training, Nye County.....	900.00	
From General to Livestock Inspection.....	10,000.00	
From General to Nevada School of Industry.....	50,000.00	
From General to Legislative.....	75,000.00	
		\$140,060.00
From State Distributive School to General.....	\$751.65	
From State Distributive School to Emergency School.....	6,000.00	
		6,751.65
From Legislative to General.....		3,176.33
From State Permanent School to General.....		166.67
From Emergency School to State Distributive School.....		2,000.00
From District Judges' Salary to General.....		5.59
From Indigent Insane to General.....		51.65
From Unapportioned County Settlement to General.....	\$31,891.47	
From Unapportioned County Settlement to State Loan Interest and Redemption.....	1,402.35	
From Unapportioned County Settlement to State Distributive School.....	5,611.40	
From Unapportioned County Settlement to Territorial Interest.....	2,244.56	
From Unapportioned County Settlement to Panama-Pacific Exposition.....	3,366.84	
From Unapportioned County Settlement to Panama-California Exposition.....	2,244.56	
From Unapportioned County Settlement to Contingent University.....	7,481.86	
From Unapportioned County Settlement to Nevada School of Industry.....	1,870.47	
		56,114.01
Total transfers.....		\$208,326.40

EXHIBIT F

Transactions of All Funds for the year 1915

<i>Funds</i>	<i>Balance January 1, 1915</i>	<i>Debits</i>	<i>Credits</i>	<i>Balance December 31, 1915</i>
General.....	\$3,218.24	\$712,017.81	\$674,756.68	<i>\$34,047.89</i>
State Permanent School.....	19,866.93	33,653.09	55,506.06	41,719.90
State Distributive School.....	53,811.06	219,471.69	257,514.01	91,853.38
State Loan Interest and Redemption.....	4,121.79	15,000.00	22,085.54	11,157.33
Territorial Interest and Sinking.....	13,426.80	19,000.00	31,980.58	26,407.38
State Library.....	5,866.05	26,184.30	25,381.00	5,012.75
University 90,000-Acre Grant.....	584.37	.....	369.98	964.30
Interest Fund, 90,000-Acre Grant.....	1,827.86	3,239.28	5,243.97	3,882.55
Irreducible University.....	261.16	.....	397.60	668.76
Contingent University.....	14,953.93	101,920.46	134,707.77	47,741.24
District Judges' Salary.....	7,073.91	46,312.58	51,823.12	12,589.45
Emergency School.....	500.00	6,300.00	6,000.00	200.00
Sheep Inspection.....	10,148.08	14,982.92	17,818.26	12,983.42
Carey Act Trust.....	100.00	100.00	25.22	25.22
General Road.....	118.83	4.00	.....	114.83
Legislative.....	40.00	75,000.00	75,000.00	40.00
Nevada School of Industry.....	2,631.94	38,230.53	70,975.70	35,377.11
Automobile Road.....	7,137.39	134.71	7,297.61	14,300.29
Normal Training—Eureka County.....	416.70	1,166.70	750.00	.....
Normal Training—Lyon County.....	450.00	1,260.00	810.00	.....
Normal Training—Nye County.....	500.00	1,400.00	900.00	.....
Normal Training—Lincoln County.....	.....	533.34	800.00	266.66
Normal Training—Ormsby County.....	.....	400.00	900.00	500.00
Normal Training—Elko County.....	.....	400.00	900.00	500.00
General Insurance.....	.....	9,250.01	13,805.92	4,555.91
Public School Teachers' Permanent.....	.....	1,596.49	1,596.49	1,596.49
Immigration.....	.....	76.19	286.00	209.81
Livestock Inspection.....	.....	1,505.96	12,512.98	11,007.02
Judicial Salary.....	1,500.00	1,500.00	.....	.....
State Orphans' Home.....	1,040.81	1,088.31	1,272.00	1,274.50
State Prison.....	5,372.01	4,683.76	.....	688.25
State Indigent Insane.....	4,034.65	3,949.52	45.00	180.13
Panama-Pacific Exposition.....	30,217.60	66,592.76	43,713.85	7,338.69
Panama-California Exposition.....	12,497.00	28,614.31	19,078.17	2,960.86
Bureau of Industry.....	2.38	.....	.....	2.38
Unapportioned County Settlement.....	56,114.01	56,114.01	.....	.....
National Forest Receipts.....	.....	15,774.48	16,244.53	470.10
Totals.....	\$257,828.50	\$1,505,810.87	\$1,550,402.99	\$302,420.82

Figures in *italic* represent overdrafts.

EXHIBIT G**Balance January 1, 1915; Receipts and Disbursements, 1915;
Balance, December 31, 1915**

Balance cash on hand January 1, 1915.....	\$257,828.50
Cash received during year 1915.....	1,381,985.78
Cash disbursed during year 1915.....	\$1,589,814.28
	1,287,898.46
Balance cash in Treasury December 31, 1915.....	<u>\$302,420.82</u>

Apportioned as follows:

General Fund.....	<i>\$24,047.89</i>
State Permanent School Fund.....	41,719.90
State Distributive School Fund.....	91,858.38
State Loan Interest and Redemption Fund.....	11,157.38
Territorial Interest and Sinking Fund.....	26,407.38
State Library Fund.....	5,012.76
University 90,000-Acre Grant Fund.....	954.30
Interest Fund, 90,000-Acre Grant.....	3,832.55
Irreducible University Fund.....	668.76
Contingent University Fund.....	47,741.24
District Judges' Salary Fund.....	12,589.45
Emergency School Fund.....	200.00
Sheep Inspection Fund.....	12,983.42
Carey Act Trust Fund.....	25.22
General Road Fund.....	114.88
Legislative Fund.....	40.00
Nevada School of Industry.....	85,377.11
Automobile Road Fund.....	14,300.29
Normal Training Fund—Lincoln County.....	266.66
Normal Training Fund—Ormsby County.....	500.00
Normal Training Fund—Elko County.....	500.00
General Insurance Fund.....	4,555.91
Public School Teachers' Permanent Fund.....	1,596.49
Immigration Fund.....	209.81
Livestock Inspection Fund.....	11,007.02
State Orphans' Home Fund.....	1,274.50
State Prison Fund.....	688.25
State Indigent Insane Fund.....	180.18
Panama-Pacific Exposition Fund.....	7,338.69
Panama-California Exposition Fund.....	2,960.86
Industrial Commission (Bureau of Industry, etc.).....	2.88
National Forest Receipts Fund.....	470.10
Total.....	<u>\$302,420.82</u>

Figures in *italic* represent overdrafts.**EXHIBIT H****Bonds Owned by the Several Funds on December 31, 1915**

<i>Fund</i>	<i>Description of bonds</i>	<i>Amount</i>	<i>Totals</i>
State Permanent School	Nevada 5% Irredeemable.....	\$380,000.00	
	Nevada 5% Refunding.....	245,000.00	
	Massachusetts State 3 and 3½%.....	1,009,000.00	
	Idaho State 4%.....	175,000.00	
	New Mexico State 5%.....	125,000.00	
	California State Highway 4%.....	232,000.00	
	Nye County 6%.....	19,000.00	
	Churchill County High School 5%.....	6,000.00	
	Clark County 6%.....	72,000.00	
	Esmeralda County 6%.....	25,000.00	
	White Pine County High School 5%.....	20,000.00	
	White Pine County Preston School District 6%.....	3,000.00	
University 90,000-Acre Grant.....	Nevada 5% Refunding.....	\$39,000.00	\$2,311,000.00
	Massachusetts State 3 and 3½%.....	68,500.00	
Irreducible University.....	Nevada 5% Refunding.....	\$16,000.00	107,500.00
	Massachusetts State 3 and 3½%.....	32,500.00	
			48,500.00
Total.....			<u>\$2,467,000.00</u>

EXHIBIT K**Receipts and Disbursements of Funds from United States Treasury**

<i>Date</i>	<i>Check or Warrant No.</i>	<i>Apportioned to State University</i>	<i>Amount</i>
Jan. 29, 1915.....	7886.....	From Lever Agricultural Extension Act to State University....	\$5,000.00
July 3, 1915.....	160.....	For maintenance of College of Agriculture and the Mechanic Arts at the State University.....	50,000.00
Total.....			\$55,000.00

Under federal law, these certificates are payable directly to the State University, passing through the State Treasurer's office.

EXHIBIT L**Receipts and Disbursements of State Insurance Fund**

<i>Date</i>	<i>Receipts</i>	<i>Date</i>	<i>Disbursements</i>
Balance January 1, 1915.....	\$169,282.72	January 31, 1915.....	\$8,294.09
January 26, 1915.....	15,000.00	February 28, 1915.....	9,821.79
February 25, 1915.....	15,000.00	March 31, 1915.....	17,616.50
March 29, 1915.....	15,000.00	April 30, 1915.....	6,467.87
April 28, 1915.....	17,500.00	May 31, 1915.....	25,255.01
May 27, 1915.....	20,000.00	June 30, 1915.....	7,241.94
June 28, 1915.....	17,500.00	July 31, 1915.....	12,161.84
July 29, 1915.....	20,000.00	August 31, 1915.....	20,057.27
August 28, 1915.....	20,000.00	September 30, 1915.....	20,746.03
September 30, 1915.....	22,500.00	October 31, 1915.....	9,529.22
October 22, 1915.....	20,000.00	November 30, 1915.....	16,046.86
November 20, 1915.....	20,000.00	December 31, 1915.....	19,276.86
December 23, 1915.....	22,500.00	Balance December 31, 1915.....	221,769.44
	\$394,282.72		\$394,282.72

EXHIBIT M**Bonds Owned by Nevada Industrial Commission**

<i>Date</i>	<i>Description</i>	<i>Rate of Interest</i>	<i>Amount</i>
Dec. 31, 1915.....	White Pine County, Lund District Schoolhouse Bonds.....	6%	\$7,000.00



STATE OF NEVADA

ANNUAL REPORT

OF THE

STATE TREASURER

1916

ED MALLEY, State Treasurer



CARSON CITY, NEVADA

STATE PRINTING OFFICE : : : JOE FARNSWORTH, SUPERINTENDENT

1917

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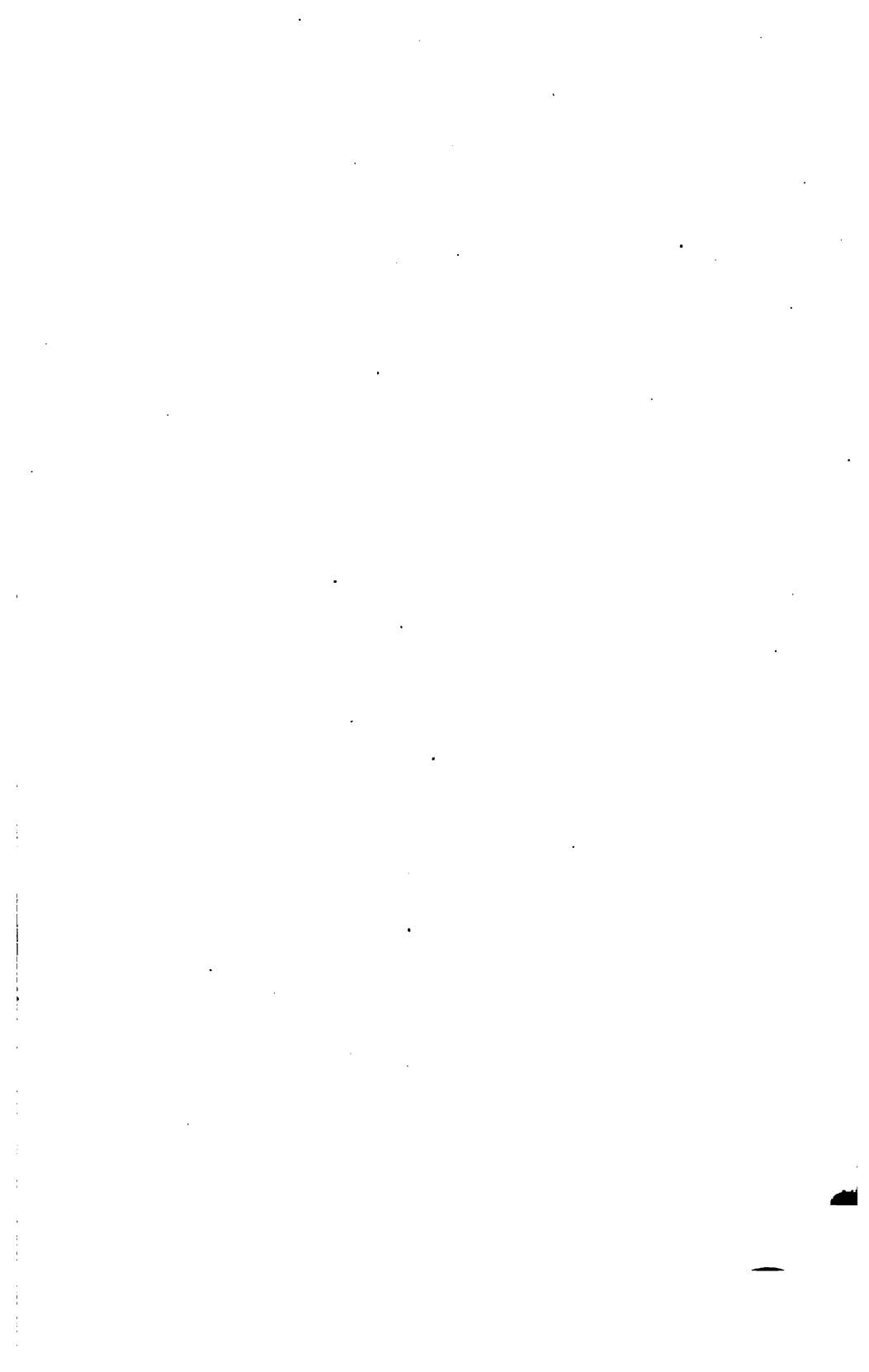
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